

**From:** Best, Carolyn  
**Sent:** Friday, July 6, 2018 11:24 AM  
**To:** Adams, Alexandra; Westlake, Libby; Slack, Cora; Crock, Sarah  
**Subject:** Talking Points  
**Attachments:** School Safety.docx

Hi everyone,

I think I have solidified a plan/template for summer talking points. Attached you'll find an example for the topic of School Safety. Below is a list of resources and topic assignments. As you work through these, just let me know if you think we need to change a topic or a make a sub topic.

Content is key here, rather than presentation just because we don't have much time at all. **This will be our main priority for the next week.** I will make Scott aware that we'll be sending these to policy and we need feedback ASAP. If you are not hearing back from someone please let me know. Just text me/email/call me if you have any questions about bills/rhetoric as you're going through these... again, we need to get these done quickly.

To keep things moving, I think it's best we fill these in and have policy review after... here is how I envision the process going...

**Process:**

- 1) Comms creates one-pagers
- 2) Sends each draft to policy person
- 3) Alex/team finalizes design/presentation
- 4) Carolyn sends to Scott/Shawn/Brad for final edits
- 5) Comms final edits
- 6) Send to members

**Resources:**

- 1) Sent file in drive (search key words)
- 2) Snapshots
- 3) Templates
- 4) Press releases
- 5) PSAs
- 6) News articles
- 7) Talking points saved in drive
- 8) Bills signed by governor

**Topics:**

**Libby**

- 2<sup>nd</sup> Amendment
- Agriculture
- Right to Work
- Workers Comp (BWC rebates)
- Local Government
- Elections

**Carolyn**

- School Safety
- School safety (mental health component; bullying, suicide)
- Economic Development
- Unemployment Compensation
- Budget
- Pro-Life
- General Accomplishments

**Alex**

- Dogs/animals
- Redistricting/Voting machines
- Lake Erie/environment

**Cora**

- Civil Justice/Crime (reagan tokes, hughes bill, telemarketing law)
- Military/Veterans

**Sarah**

- Education/E-Schools
- Utilities
- Opioid Epidemic
- Health
- Transportation/Transportation Budget

Thanks guys!

**Carolyn Best**

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## **SCHOOL SAFETY**

**Talking to teachers, parents, superintendents, students and school board members...**

*In light of recent events, the Ohio House has prioritized ensuring that schools are better prepared for dangerous and deadly attacks. This topic elicits a varied amount of emotional responses and it is imperative that we look at this issue from all sides and keep schools and parents part of the conversation to keep every Ohio student safe.*

### **Senate Bill 226 Bacon, effective 3/30)**

- Creates an annual back-to-school sales tax holiday
- Included a provision to give educational service centers (ESC) the authority to levy a property tax to fund school security and mental health services
- Upholding local control, the bill will allow an individual school district to decide if it needs additional funds for the purpose of school safety

### **House Bill 318 (Patterson/LaTourette, concurred 6/27)**

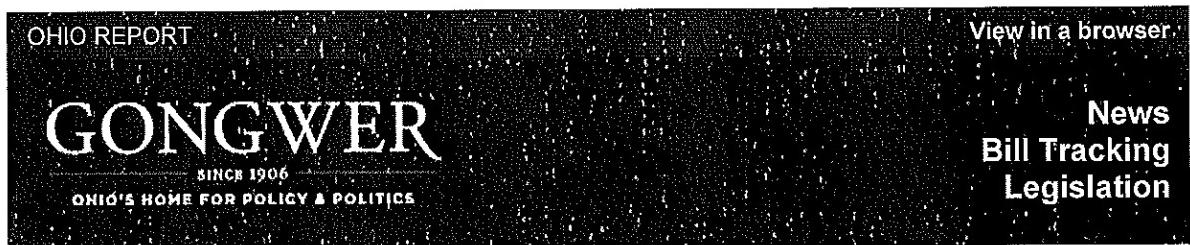
- Establishes qualifications and training requirements for school resource officers (SRO) and permits SROs to provide a specified range of services to school districts and schools.
- SROs work in many districts throughout the state, providing a valuable, community-oriented, and approachable official, specifically dedicated to students, teachers, staff, volunteers, and families.
- The training program areas including: communication techniques that will enhance positive interaction between the student and officer, understanding the psychological characteristics consistent with the age of a student, de-escalation strategies, and instruction on school facility security needs and features. Additionally, the program will highlight approaches to encourage a drug free environment.
- Includes grant (confirm amount)

### **House Bill 383 (Carfagna, Passed House 6/26)**

- Requires any child care providers licensed by the Ohio Department of Job and Family Services (ODJFS) to notify parents if ODJFS determines that the provider allowed serious risk to a child's safety.

- Current law does not require childcare providers to notify parents that an incident causing serious risk to a child occurred, even if ODJFS has investigated and made an official determination
- Specific requirements include that the notification must be provided to parents within 30 days of the official ODJFS determination
- Notices sent to parents must include references to the ODJFS website, encouraging recipients to take advantage of the online information

**From:** Gongwer News Service  
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## OHIO REPORT FRIDAY, JULY 6

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**Legislative Committee Schedules**

**Event Planner**

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## Volume #87, Report #130 -- Friday, July 6, 2018

### Payday Lending Proposal Slated For Rare Summer Action In Senate Next Week

An expected legislative break is being cut short for the Senate as the chamber is set to return next week to continue its work considering a contentious overhaul of short-term lending laws.

The payday lending bill (HB 123) is slated for consideration by the Senate Finance Committee Monday and Tuesday, if necessary. The measure is expected to come up before the full Senate Tuesday morning.

The Finance Committee meetings are expected to be the only committee action of the week.

John Fortney, spokesman for Senate President Larry Obhof (R-Medina), said amendments are expected Monday or Tuesday.

What that language will look like remains unclear.

The committee spent much of last week hearing testimony on the measure and weighing potential changes offered by Sen. Matt Huffman (R-Lima).

Backers of the original language, which would limit fees and interest rates and require repayment to be capped at 5% of the borrower's income, balked at proposed changes in the Senate. (See Gongwer Ohio Report, June 21, 2018)

Proponents, including the Pew Charitable Trusts, voiced openness to some changes, such as increasing the allowable loan sizes and rates, that would still preserve the overarching framework. (See Gongwer Ohio Report, June 25, 2018)

Sen. Matt Dolan (R-Chagrin Falls) said this week he had prepared amendments to that effect but wasn't sure whether the committee would work from the House-passed language or from a framework outlined by Sen. Huffman.

"My amendments were directed toward 123 based on what I heard in terms of testimony and in terms of what could help within the structure of 123 to increase the costs a little bit to help out the lenders," he said in an interview.

Those discussions have included increased rates and allowable fees, including raising the limit on what a borrower can be required to pay back to perhaps as high as 10% of their income, Sen. Dolan said.

"That would obviously increase the ability for the borrower to borrow more money," Sen. Dolan said. "We're trying to find that fine line."

Supporters of the initial language have said raising the 5% income limit to perhaps 7% or 8% would be acceptable, but 10% could be too high.

Sen. Huffman's proposals would create a framework around the total costs of installment loans, limiting those to a per diem rate based on the size and duration of the loan. He has said the proposal would also cap the total principal amount a borrower could have out at any one time at \$2,500. (See Gongwer Ohio Report, June 26, 2018)

### **State Touts Mental Health Parity With Managed Care Integration Of Behavioral Services**

With the July 1 carve-in of behavioral health services in Medicaid into managed care, the state says it is now compliant with a 2008 federal law requiring parity for mental health and addiction services.

The departments of Medicaid and of Mental Health and Addiction Services released a report examining compliance by managed care plans in providing parity in patients' access to those services.

The state was initially scheduled to show compliance in October 2017 but received approval from federal regulators to wait until the July 1 integration of behavioral health services into managed care. (See Gongwer Ohio Report, June 28, 2018)

"That gave us the opportunity to have our implementation dates be the same as our carve-in," Medicaid Director Barbara Sears said in an interview.

The behavioral health integration is a separate effort from the work toward parity, but the state decided to have those dates coincide because of the way it framed its plan with the federal Centers for Medicare and Medicaid Services, said Patrick Stephan, director of managed care for ODM.

"What we didn't want to do was have to go through the process twice," he said. "Had we not connected this with our integration of behavioral health services into managed care, we would've had to have done it on the fee-for-service side."

Parity means managed care plans will be prevented from having cumbersome prior authorization requirements, limits on service days or other restrictions on mental health services that aren't used on physical health services, Mr. Stephan said.

"At its core, this act requires us to make certain that within Medicaid, and in this case within the managed care plans' administration of the benefit, that we do not have qualitative or quantitative requirements on mental health services that are more stringent than what you would get on the physical side," he said.

Mr. Stephan said the move toward managed care will also help ensure patients' access to mental health services because plans are required to provide that access and can incentivize providers in order to achieve it.

"In the fee for service side, we had very little ability to encourage new providers into the market," he said. "On the managed care side, we have standards that the plans must meet, and if they don't, then they get fined, they get penalized."

Lori Criss, CEO of the Ohio Council of Behavioral Health and Family Services Providers, said parity is key but questioned whether the system has actually achieved the goal.

"Fully implementing and robustly enforcing the Mental Health Parity and Addiction Equity Act of 2008 is critically important to ensure that Ohioans can understand and access the health insurance benefits rightly available to them," she said in a statement. "While we appreciate Ohio Medicaid's compliance report, the analysis appears to lack sufficient detail to support its broad conclusion without review of the underlying assessment documents."

Moving forward, the state will have to ensure parity standards are met, she said.

"The real test will be how well Medicaid promotes transparency and holds the plans accountable for the law's requirements," she said. "The Ohio Parity at 10 Coalition looks forward to working with lawmakers and the administration to raise awareness of the law's benefits to Ohioans, their families and employers."

#### **CAUV 'On the Road To Correction' Following Budget Changes, Group Says**

Budget language aimed at alleviating increased costs from rising Current Agricultural Use Values are having their intended impact, the Ohio Farmers Union told state officials recently.

The Department of Taxation each year holds a public hearing in June to brief farmers and interest groups on the latest values and to gather feedback on the subject.

In recent years, the meetings have been the site of much angst as some farmers grapple with sharp increases. During the 2014 tax year, the high watermark, increases were seen as high as 400%. (See Gongwer Ohio Report, June 2, 2017)

"We had tremendous increase in the CAUV values going back to 2008," said Ted Finnarn, attorney for the organization. "Because of (the changes), the CAUV values have come down and are heading back down to where they should have been."

But the latest meeting came and went with little fanfare, with the union providing the only testimony and praising the recent changes.

"We're finally on the road to correction," Mr. Finnarn said in an interview. "By the 2020 cycle, the CAUV values will be down so farmers have more reasonable taxes."

Gloria Gardner, assistant administrator for the department, said the statewide average value for cropland came in at \$1,015 per acre for tax year 2018, down about 27% from 2015 values which were \$1,388. The values are updated every three years as counties undergo their appraisal process.

"The values are dropping pretty significantly due to some of the changes that were in House Bill 49 in 2017 and this is the second year of implementing those changes," Ms. Gardner said. "The woodland values are also coming down."

The budget changes, which originated in the Senate, modified the factors to be used in computing the values and placed a ceiling on the taxable value of CAUV land if it is also used for conservation purposes. The changes were phased across two stages over a six year assessment cycle.

"We sort of had a perfect storm - all of these things coming together - and we had extremely high values that were unwarranted and unfair and unprecedented," Mr. Finnarn said. "Now we're on the road to having more reasonable real estate taxes for farmers and woodland owners."

Not all parties were pleased with the budget changes, however. School groups expressed repeated concerns with how the changes might impact their districts, forecasting a 30% reduction in farming property values that would shift the burden onto other property owners.

Barbara Shaner, advocacy specialist for the Ohio Association of School Business Officials, said those fears continue.

"We're still sorting out the results of the most recent information from the tax department but we also think we won't see the full effect for a few more years because not all the counties have undergone their reevaluation," Ms. Shaner said. "We remain concerned and we'll continue to monitor the way it's turning out."

### **Ed Board Expected To Debate, Vote On Third-Grade Reading Benchmark ...**

The State Board of Education is set to vote to increase the Third Grade Reading Guarantee promotion score next weekend at its monthly meeting.

A proposal to raise the benchmark students would need to meet on the Ohio State Test for third grade English and language arts from 672 to 677 was set for a possible vote by the panel's Achievement and Graduation Requirements Committee last month, but it ultimately delayed its decision. (See Gongwer Ohio Report, June 12, 2018)

The committee is once again scheduled to discuss the proposal at its 8:30 a.m. Tuesday meeting, with the full board expected to consider the resolution enacting the change later that day. The resolution is set for consideration as an emergency measure, so it would take effect before the start of the next school year.

The state board is required by law to review the third grade language arts benchmark and adjust it upward annually until it reaches 700, which indicates proficiency, according to a memo sent to committee members late last month by the Department of Education's legal staff.

Despite the requirement that the score increase, the committee balked at recommending the promotion score be set at 677 last month, with multiple members asking for more time to discuss the potential change with local school district officials.

District 4 board member Pat Bruns at the time said she was concerned raising the score could mean districts' improvements at teaching young readers would not be reflected in state report cards, sending a "false message" to community members.

An overview of the issue provided by ODE to the committee states that: "Because of the state law, the education community is expecting to see a modest increase in the promotion score. No one will be surprised by an increase."

ODE also argues the change in the overall language arts score from 672 to 677 corresponds to the smallest possible increase in the reading subscore, from 44 to 45.

"It is possible this change will not increase the number or percent of students who are retained. If there is a reduction in the number of students promoted, we would expect it to be small," the overview states.

At-large board member Laura Kohler, the committee's chairwoman, previously said she supports the plan to increase the benchmark to 677 because administrators and teachers have been preparing for it with increased aid from the state.

"We're looking at a different landscape than we were a couple of years ago with the supports that are in place," she said.

**Subscriber's Note:** The full agenda for the State Board of Education's Monday and Tuesday meeting is available online.

### Rover, FERC Staff Spar Over Land Restoration, Pipeline Operations

Rover Pipeline operators, long at odds with state regulators, are now amping up their frustration with their federal overseers.

In recent missives, Rover Pipeline LCC blasted Federal Energy Regulatory Commission staff for what it considers the commission's failure to authorize full operation of a major section of the controversial project. (See Gongwer Ohio Report, June 1, 2018)

The lack of action on FERC's part has left Rover "more than a little baffled," wrote Rover Senior Vice President Chris Sonneborn. But FERC staff said the delays are prompted by Rover's failure to restore land impacted by the project by a June 30 deadline. The

company in recent weeks has informed staff restoration efforts are likely to continue until "at least" July 30.

According to Rover, FERC staff in May authorized service to commence on a main segment of the pipeline called Supply Connector Line B. But in doing so, staff withheld granting in-service authorization for two laterals pending further review.

"As a result of staff's inaction, significant volumes of natural gas have been unable to flow on pipeline facilities that have been completed for nearly a month," Mr. Sonneborn wrote. "This is unfortunate, because...the incremental natural gas supply that would have been available to flow would have been used to offset the large deficit the nation is facing to replenish storage inventories in preparation for the 2018-2019 heating season...."

Failure to act soon, the company claims, is outside "the public interest." But FERC declined to be persuaded by the company's comments. Staff instead responded with a formal notice directing the company to complete outstanding restoration activities at those two Ohio sites.

"Because restoration of these facilities was not complete at the time of in-service authorization, Rover committed to completing the remaining restoration activities by specific dates," wrote John Wood, FERC's deputy director of the Office of Energy Projects. "However, commission staff monitoring certificate compliance believes that rover will be unable to meet a number of those commitments...."

As a result, staff directed Rover to take "prompt and immediate action" and to file prior to July 9 a detailed account of why the company cannot adhere to the agreed upon timetable.

"Neither the commission nor its staff takes lightly a pipeline's commitments to restore and rehabilitate affected lands," Mr. Wood said. "Accordingly, the commission expects pipelines to follow through on their commitments to restore and rehabilitate land and other resources disturbed by the construction of a certificated pipeline."

In response, Mr. Sonneborn issued a second letter this week leveling further attacks, accusing FERC staff of making "several inaccurate statements" toward the project and the company's willingness to fulfill its land restoration commitments.

"For the record, and as Rover has stated previously in this docket on numerous occasions, Rover will honor and meet all of its restoration commitments - whether those are scheduled to occur before or after Rover is fully in service," Rover wrote. "Any implication to the contrary is simply untrue."

Rover now is also accusing FERC staff of "a fundamental misunderstanding" of how the restoration process works.

"A company can supply ample resources, equipment, and personnel to restoration efforts; however, the variable of weather, and therefore the pace of restoration, is simply outside of any pipeline's control," Rover wrote. "There is no amount of planning or resources that can change the reality that on any major pipeline project there are always going to be changes to the restoration schedule due to events outside of the pipeline's control."

The company's public pushback accusing FERC of stating falsehoods is much like the back-and-forth Rover has engaged in with the Ohio Environmental Protection Agency. Rover and the OEPA have engaged in a months-long back and forth with Rover accusing OEPA of cooperating with the company in private but taking an adversarial approach in public.

That tiff ultimately led to a lawsuit filed by the state, which Rover and several other defendants have filed to dismiss. (See Gongwer Ohio Report, March 5, 2018)

### **Public Comments Continue On State, Federal Lifeline Proposals**

Stakeholder groups and citizens are continuing their efforts to thwart state and federal proposals that would eliminate in whole or in part a federal discount program for low-income customers.

At the state level, AT&T is proposing to discontinue its participation in the federal Lifeline program - which grants eligible customers a \$9.25 monthly credit - in areas in which another provider operates that service.

But the Public Utilities Commission of Ohio has yet to approve that plan and in recent days has urged the public to weigh in via written feedback.

Meanwhile, the Federal Communications Commission is weighing a similar but more far-reaching plan that would largely eliminate the resource for a swathe of customers across the country. (See Gongwer Ohio Report, February 23, 2018)

In the PUCO case, comments have been submitted from a handful of citizens as of Friday, each urging the commission to deny AT&T's plan and maintain the program.

Several commenters described themselves as licensed social workers working with elderly populations. Others are customers who benefit from the program and who labeled the company's attempt to cut it "indefensible" and "abhorrent."

AT&T, for its part, has emphasized that no Ohio customer will lose voice service through the move but will instead receive it at the standard rate. Customers are free, it said, to receive the Lifeline discount from other providers in those areas.

The move "will have only a nominal impact on Ohio consumers who have demonstrated a clear preference for obtaining their Lifeline discount from (companies) other than

AT&T," the company said. "Over the past eight years, AT&T has seen its own Ohio Lifeline subscribership shrink by 94%."

Advocates, though, caution the move would strip vulnerable Ohioans of a valuable resource. The Ohio Consumers' Counsel and the Greater Edgemont Community Coalition are among those protesting the idea. In part, they've urged commissioners to solicit public input and take the federal case into consideration. (Docket)

In the federal case, the Federal Communications Commission is proposing changes critics say will erect more barriers for Lifeline consumers nationwide. There are about 608,000 total subscribers in Ohio, according to proponents of the program.

The PUCO and the Ohio Consumers' Counsel are among parties that have submitted comments in opposition to the federal proposal.

Under the proposed changes, eligible consumers must enroll online first through a third-party verifier and then through a specified carrier. Currently, the customer can enroll directly through their provider.

Proponents of the Lifeline program this week were denied a stay in the case when regulators determined the parties were unlikely to prevail on the merits and would not suffer irreparable injury.

In response, Q Link, the nation's third-largest Lifeline provider, on Thursday filed an emergency motion that if approved would enact additional changes to enable carriers to collect customer information directly from the third-party verifier.

Q Link serves about 40,000 Lifeline customers in Ohio. Sixty-seven percent reside in rural or suburban areas and 82% are new to Lifeline, which the company said indicates they were previously unserved by and may not have access to other providers.

"The...proposed change will be unnecessarily difficult and confusing for consumers," said Q Link CEO Issa Asad in a statement. "Beyond the impact on rural Americans, which will be significant, the new system's failure to include automated links with carriers will unnecessarily cost taxpayers tens of millions of dollars."

### **'Sweeping' Changes In Store After Federal Regulators Reject PJM Capacity Market Plans**

Federal regulators voted along party lines recently to toss aside two proposals from PJM Interconnection to revamp the capacity market, paving the way for a potentially drastic shake up in the months ahead.

PJM in April submitted two competing proposals for FERC's consideration on how to best overhaul the market. But in the end, the commission's 3-2 order went far beyond simply rejecting the proposals and instead paves the way for what one dissenting

commissioner labeled "sweeping" changes for the grid operator that serves 13 states. (See Gongwer Ohio Report, May 7, 2018)

In short, the commission determined subsidies for renewable and nuclear sources have rendered PJM's current tariff "unjust, unreasonable and unduly discriminatory" in that it fails to ensure adequate competition. FERC is now proposing to expand the minimum offer price rule - which enacts a screening process to gauge the competitiveness of new resources - among other changes.

"We find...the PJM Tariff allows resources receiving out-of-market support to significantly affect capacity prices in a manner that will cause unjust and unreasonable and unduly discriminatory rates in PJM regardless of the intent motivating the support," the majority wrote. "We are compelled...to conclude that out-of-market payments by certain PJM states have reached a level sufficient to significantly impact the capacity market clearing prices and the integrity of the resulting price signals on which investors and consumers rely to guide the orderly entry and exit of capacity resources."

Stakeholder groups in Ohio and beyond are still parsing the details of the 106-page order, but they have a short timetable to digest its ramifications. After the 60-day comment window, parties have 30 days for reply comments after which FERC wants to reach a solution.

PJM issued a statement stating its pleasure that FERC is taking action.

"The order appears to be a positive step to change competitive electric market design while recognizing the important role states play in influencing the resource mix through retail energy policies," according to PJM. "We will begin work immediately to develop the kind of bifurcated capacity construct envisioned by the commission and actively engage stakeholders, including the states, within the timetable laid out by the commission."

But FERC's two Democratic members issued scathing dissents regarding the substance of the order and the timeline laid out by the majority.

"Let's be clear: through its action today, the majority signals its intent to adopt, through a 90-day paper hearing, the most sweeping changes to the PJM capacity construct since the market's inception more than a decade ago," Commissioner Cheryl LaFleur wrote in her dissent. "If ultimately adopted, this proposal would fundamentally rebalance the resource adequacy responsibilities of the states, the commission, and PJM."

Commissioner Richard Glick said the commission in its order "entirely fails" to demonstrate its claims the market is unjust and further criticized the timeline.

"Requiring interested parties to decipher today's order, develop testimony, gather evidence, and meaningfully respond within 60 days is irresponsible," he said. "On top of that, this short timeframe essentially guarantees that PJM will not be able to work with the states to develop a proposal that aligns with state policies."

## **Agency Briefs: Hurst To Replace Plouck At ODMHAS; U.S. Unemployment Rate Up; OSHP; ODNR**

Dr. Mark Hurst will replace Tracy Plouck as director of the Department of Mental Health and Addiction Services next week as Ms. Plouck, a longtime administration official, leaves for the private sector.

Gov. John Kasich announced Dr. Hurst's appointment Friday. He will take over the department effective July 13.

Ms. Plouck has been in Gov. Kasich's cabinet since 2011 and has twice served as state Medicaid director. She also served as deputy director in the Department of Developmental Disabilities and the Office of Budget and Management.

"I'm extremely grateful to Tracy Plouck for her leadership, compassion, counsel and service to Ohio," Gov. Kasich said. "She has a servant spirit and exemplifies the best in public leadership. She is a model for other leaders to follow and I wish her and her family all the best in this new chapter of their lives."

Dr. Hurst has served as medical director at ODMHAS since 2012 and has been at the department since 1993.

"Dr. Hurst's leadership, insights and compassion have distinguished him as a valuable member of our team and contributed mightily to the progress Ohio is beginning to make against addiction and to lift up our fellow Ohioans struggling with mental illness," Gov. Kasich said in a statement. "I appreciate that he's agreed to take on this responsibility. The work ahead is monumental and the challenges will continue to shift, but his leadership has been-and will continue to be-an enormous asset in Ohio's efforts in these areas."

**Unemployment:** The U.S. added 213,000 jobs in June despite a loss of jobs in retail trade, but the unemployment rate rose to 4% as more people re-entered the labor force, the Bureau of Labor Statistics reported Friday.

The unemployment rate rose by 0.2 percentage points to 4% as the number of unemployed people rose by nearly 500,000 to 6.6 million, the BLS reported.

The overall labor force grew significantly, rising by 601,000, with the labor force participation rate rising 0.2 percentage points to 62.9%, the report said.

The survey found job gains of 50,000 for the month in professional and business services. Manufacturing employment grew by 36,000, mostly in durable goods manufacturing, including fabricated metal products (+7,000), computer and electronic products (+5,000) and primary metals (+3,000).

Motor vehicles and parts manufacturing bounced back from a loss of 8,000 jobs in May with a gain of 12,000 in June, the report found.

Health care employment was up 25,000 for the month, construction was up 13,000 and mining was up 5,000.

Retail trade lost 22,000 jobs, a month after seeing a gain of 25,000 in May.

**State Highway Patrol:** The patrol reported eight people were killed in four deadly crashes during the Fourth of July reporting period Tuesday and Wednesday. Impairment was a factor in at least one of the deadly crashes.

During last year's reporting period, from June 30 to July 4, there were 21 fatal crashes that killed 21 people, including eight OVI-related crashes, the patrol said.

Troopers made 296 impaired driving arrests and 276 arrests on drug charges. They responded to 297 crashes and assisted more than 2,000 motorists.

"When someone chooses to drive impaired the consequences can be deadly," Patrol Superintendent Col. Paul A. Pride said in a statement. "That's why troopers make OVI enforcement a priority, whether they're patrolling during a holiday weekend or any time of day. Motorists should always pre-plan a sober way home."

**Natural Resources:** The department's officers and partnering agencies issued 102 citations and 895 warnings last weekend during Operation Dry Water, a nationwide crackdown on impaired boating.

There were three boating-related fatalities in Ohio during the weekend, the ODNR said.

ODNR officers and partners contacted 3,500 boaters on 1,261 vessels for various violations during the crackdown.

The Division of Oil and Gas Resources Management reported that 2,840 permits had been issued for drilling in the Utica shale as of June 30, with 2,370 wells drilled and 1,904 in production.

### **Burke Blasts Cordray's Medicaid Comments; Soybean Group Sounds Tariff Alarm; Boccieri Calls For More Local Funding**

A lawmaker on Friday accused Democratic gubernatorial candidate Richard Cordray of either lying about or not understanding the issue of Medicaid expansion.

Sen. Dave Burke (R-Marysville), who chairs the Senate Health, Human Services & Medicaid Committee, accused Mr. Cordray of twice in the past week saying that 26,000 children could be impacted if Medicaid expansion were rolled back.

However, Sen. Burke said in a statement that the expansion covers only childless adults.

"Richard Cordray continues to make Medicaid expansion a key part of his campaign for governor, but his statements over the past week prove he does not understand Ohio's Medicaid program. Cordray's comments in the media show he is either unprepared to be governor, or that he is willing to blatantly lie and use fear tactics to scare Ohioans into voting for him," he said.

"Medicaid comprises over 50% of Ohio's annual budget. If Richard Cordray doesn't understand such a key part of the state budget, then Ohioans simply cannot trust him to sit in the governor's office. Richard Cordray is making promises, and this week he's proven to us that that he doesn't know how he would keep them, even if he wanted to."

In response, the campaign of Mr. Cordray cited a 2016 report from the Georgetown University Center for Children and Families that credited Medicaid expansion for 26,000 children gaining insurance coverage from 2013-2015.

**Tariff Concerns:** The Ohio Soybean Association is sounding the alarm about retaliatory tariffs China has placed on American soybeans. The tariffs kicked in Friday in response to tariffs enacted by the Trump Administration that same day on an array of Chinese goods.

The group in a statement said 61% of all soybean exports go to China, which accounts for about \$14 billion annually in sales.

"This doesn't only hurt Ohio farmers, it will hurt the entire Ohio economy," said Allen Armstrong, OSA president and soybean farmer from Clark County. "We continue to believe that solutions can be found that do not involve tariffs and a trade war that will hurt all of rural America."

**Local Funding:** A new report by the Brookings Institute has led to a renewed call for more local government funding.

The report found that from 2010-2017, three Ohio cities ranked in the top 20 in population decline: Youngstown (19), Toledo (12) and Cleveland (5).

Rep. John Boccieri (D-Alliance) in a statement called for additional funding for local governments to stem the tide of population loss.

"You can push the responsibility of raising revenue to the lowest layers of government while sending more and more to state government," he said. "As elected officials, we have a duty to work together to get things done - regardless of who is in charge."

### **Case Remanded After Judge Cites Article In Sentencing; High Court Denies Stay Of Execution; Buckeye Institute Weighs In On Case...**

A federal district court judge erred in doubling a man's sentence after citing a Cleveland.com article on opioid overdoses, the Sixth Circuit Court of Appeals ruled recently.

Marcus Fleming in July 2016 was pulled over by Canton police and found to be carrying nearly 1,000 grams of cocaine.

Based on federal sentencing guidelines, the prosecution recommended five years in prison for Mr. Fleming.

However, at the sentencing hearing Judge John Adams cited the article before handing down a 10-year sentence.

Mr. Fleming argued he was prejudiced by the use of the article because he did not know it would be cited at the sentencing hearing and he was not provided an opportunity to address the issues raised.

The Sixth Circuit agreed, finding the sentence was rendered in a procedurally unreasonable manner.

"The district court's consideration of information about mixed cocaine-opioid overdose deaths was a surprise because, before the sentencing hearing, there was no indication that opioids were relevant to this case, let alone that they would play a prominent role. Fleming was convicted for possession of cocaine, not opioids," Judge John Rogers wrote in the court's decision.

"Nothing in the record suggested that opioids were found in Fleming's car, or that Fleming had ever sold or possessed opioids, or even that any cocaine Fleming sold had ever been mixed with opioids. Of course, opioids have been a topic of grave public concern in recent years, as their devastating and tragic effects have been felt across the country. But it was far from apparent that they were relevant to Fleming's sentence for possession of cocaine."

Judge Rogers was joined by Judge Raymond Kethledge and Judge Damon Keith in his decision.

The case is remanded back to the district court for sentencing.

**Stay Denied:** The Ohio Supreme Court has declined to stay the execution of a man set to be put to death this month.

In a unanimous ruling the court declined to stay the July 18 execution of Robert Van Hook.

He is on death row after being convicted of the 1985 murder of David Self.

**Judicial Deference:** The Buckeye Institute has filed an amicus brief in a case that could end judicial deference to executive agencies' interpretations of the law.

"The practice of courts relying on agencies to interpret the law has proven to be dysfunctional, inconsistent with our constitutional system, and has led to the erosion of individual liberties," President and CEO Robert Alt said in a statement. "It is time for the Supreme Court to junk *Chevron*."

**Disciplinary Proceedings:** The Board of Professional Conduct announced that 12 cases have been certified for formal disciplinary proceedings.

### **Portman Sets Sights On Deferred Park Maintenance; Dems Welcome Pruitt's Exit; Ryan Tours Immigrant Facility**

U.S. Sen. Rob Portman (R-Terrace Park) is among a bipartisan group of senators aiming to tackle about \$12 billion in deferred maintenance within the National Park Service.

He joined with senators Mark Warner (D-VA), Lamar Alexander (R-TN), and Angus King (I-ME) to introduce the Restore Our Parks Act, which has earned support from Secretary of the Interior Ryan Zinke, the National Parks Conservation Association, the Pew Charitable Trusts' Restore America's Parks Campaign and the Outdoor Industry Association.

"For more than a century, the National Park Service has been inspiring Americans to explore the natural beauty of our country," Sen. Portman said in a statement. "But in order to keep that work going, we need to ensure that they have the right resources to maintain our national parks. This bill will create the Legacy Restoration Fund to provide the National Park Service with funds for deferred maintenance projects."

The legislation would provide more than \$100 million in funding for work at parks and historic sites in Ohio. The vast majority of the funding would go toward improvements at two sites: Perry's Victory and International Peace Memorial in Put-in-Bay (\$47.7 million) and Cuyahoga Valley National Park in Cuyahoga and Summit counties (\$45.8 million).

**Resignation:** Democratic members of Ohio's congressional delegation had no kind words for U.S. EPA Administrator Scott Pruitt following his resignation Thursday.

"Scott Pruitt used taxpayer dollars to benefit himself while working to gut Lake Erie cleanup and the Renewable Fuel Standard and the Ohio jobs that depend on them," U.S. Sen. Sherrod Brown tweeted. "He never should have been confirmed in the first place, and it's past time for him to go."

U.S. Rep. Tim Ryan (D-Niles) issued a brief statement in response to the departure: "It's about time."

U.S. Rep. Joyce Beatty (D-Blacklick) simply tweeted "Byeeeeee!" with a link to a media report about Mr. Pruitt's resignation.

**Immigration:** Rep. Ryan and three of his U.S. House colleagues from Michigan on Thursday received a tour of Bethany Christian Services' facility in Grand Rapids and learned about the organization's plans to reunite immigrant children with their families.

Rep. Ryan in a statement called the Trump administration's policy of separating children from parents at the U.S.'s southern border "state sponsored abuse."

"Children are traveling by themselves or with their loved ones to avoid violence and danger in their country, and they fled to the United States to find safety and security. They are doing what any responsible parent would do," he said. "But when they arrive at our border, the Trump Administration turns its back on our values and rips children away from their parents - with zero plan to bring them back together."

**Hearing:** Sen. Brown and Sen. Portman will conduct a field hearing of a congressional committee charged with solving looming pension problems next week at the Statehouse.

The House and Senate Joint Select Committee on Pensions will meet at 2 p.m. next Friday at in the Finan Hearing Room. The hearing will allow panel members to receive testimony from Ohio workers and retirees who could be affected if Congress fails to take action.

Multiple plans Ohioans participate in, including the Central States Teamsters Pension Plan, the United Mine Workers Pension Plan, the Ironworkers Local 17 Pension Plan, the Ohio Southwest Carpenters Pension Plan and the Bakers and Confectioners Pension Plan "are currently on the "brink of failure," according to a news release from Sen. Portman's office.

The committee, which has 16 members appointed by House and Senate leadership, has been tasked with reporting a bill to resolve the issue by the end of November.

### **Capitol Scene: Child Caring Group Updates Name**

The advocacy group formerly known as the Ohio Association of Child Caring Agencies has renamed itself the Ohio Children's Alliance, it was announced Friday.

The change, the group said, reflects the changing environment for child and family services.

"Our new name is more representative of our mission and the composition of our statewide network of community agencies," said Mark Mecum, the group's CEO. "Over the past five decades, our association has grown to over 70 community agencies that provide behavioral health, foster care, and other child and family services. We've also evolved into an alliance that fosters collaboration and innovation. Our new name symbolizes our commitment to Ohio's children and the agencies that serve them."

The organization was founded in 1973.

## **Governor's Appointments**

**State Dental Board:** Tracy Intihar of Columbus to the for a term beginning July 6, 2018, and ending April 6, 2021.

**Public Benefits Advisory Board:** Dasmine Wright of Columbus for a term beginning July 6, 2018, and ending June 30, 2021.

**Ohio Turnpike and Infrastructure Commission:** Guy C. Coviello of Youngstown for a term beginning July 6, 2018, and ending June 30, 2023.

**Ohio Arts Council:** Darryl D. Mehaffie of Greenville, Farid Naffah, MD of Cortland, and Neal F. Zimmers, Jr., JD of Granville have been reappointed to the for terms beginning July 6, 2018, and ending July 1, 2023.

## **Supplemental Agency Calendar**

**Tuesday, July 10**

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Radioactive Materials Committee, 35 E. Chestnut St., Basement Training Room A, Columbus,  
10:30 a.m.

**Friday, July 13**

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Board of Voting Machine Examiners, 17th Fl., 180 E. Broad St., Columbus, 10 a.m.

## **Supplemental Event Planner**

**Monday, July 9**

---

Release of June casino revenue figures, 1:30 a.m.

17 S. High St., Suite 630

Columbus, Ohio 43215

Phone: 614-221-1992 | Fax: 614-221-7844 | Email: [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com)

Scott Miller, President | Kent Cahlander, Editor | Mike Livingston, Dustin Ensinger, Jon Reed,  
Tom Gallick, Staff Writers

Click the # after a bill number to create a saved search and email alert for that bill.

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## Daily Activity Planner for Saturday, July 7-Monday, July 9

### Legislative Committees

Monday, July 16

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 3 p.m.

**HB 123** **LENDING LAWS (Koehler, K., Ashford, M.)** To modify the Short-Term Loan Act, to specify a minimum duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. (6th Hearing-All testimony-Possible amendments & vote)

### Agency Calendar

Monday, July 9

State Board of Education, 25 South Front St., Columbus, 8:30 a.m.  
Controlling Board, North Hearing Rm., Senate Bldg., Columbus, 1:30 p.m.

### Event Planner

Monday, July 9

Release of June casino revenue figures, 1:30 a.m.  
Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Cooks Creek Golf Club, 14065 U.S. Rt. 23, S. Bloomfield, 11 a.m., (11 am registration; 12 pm shotgun)

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## Legislative Committee Schedules beginning 7/9/2018

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### Tuesday, July 10

Senate Finance (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 9 a.m.

- If needed

- HB 123** **LENDING LAWS (Koehler, K., Ashford, M.)** To modify the Short-Term Loan Act, to specify a minimum duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. (7th Hearing-Possible amendments & vote)

Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 10 a.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 11 a.m.

### Thursday, July 12

Ohio Retirement Study Council (Committee Record) (Chr. Schuring, K., 228-1346), Rm. 121, 10 a.m.  
Managed Long-Term Services and Supports Study Committee (Chr. Burke, D., 000-0467), Senate Finance Hearing Rm., 10 a.m.

- Providers and consumers of MyCare services will be invited to share their perspectives on MyCare Ohio along with Q & A (100 minutes); Quality Measures Data from Department of Medicaid (20 minutes)

### Monday, July 16

Joint Committee on Agency Rule Review (Committee Record) (Chr. Uecker, J., 644-6030), Senate Finance Hearing Rm., 1:30 p.m.

**NOTE:** Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the **#** after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

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**Monday, July 9**

**Release of June casino revenue figures, 1:30 a.m.**

**Rep. Gary Scherer (R-Circleville) golf outing fundraiser, Cooks Creek Golf Club, 14065 U.S. Rt. 23, S. Bloomfield, 11 a.m., (11 am registration; 12 pm shotgun)**

**Tuesday, July 10**

**Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay St., Columbus, 11:30 a.m., (Host: \$1,000, Sponsor: \$500, Patron: \$350 to Friends of Scott Lipps)**

**Wednesday, July 11**

**Rep. Richard Brown (D-Canal Winchester) fundraiser, The Paddock Club, 1005 Richardson Rd., Groveport, 5:30 p.m., (Sponsor Levels: Sponsor \$250, Host \$100, Guest \$50 to Citizens for Richard Brown)**

**Thursday, July 12**

**Rep. Hearcel Craig (D-Columbus) fundraiser, Crest Gastropub, 621 Parsons Ave., Columbus, 5:30 p.m., (Host \$500, Friend \$250, Supporter \$150; Guest \$69 to Friends of Hearcel F. Craig)**

**Monday, July 16**

**Rep. Bill Reineke (R-Tiffin) golf outing fundraiser, Mohawk Golf Course, 4399 OH-231, Tiffin, 8:30 a.m., (8:30 am registration; 10 am shotgun)**

**Tuesday, July 17**

**Republican Senate Campaign Committee MLB All-Star Game fundraiser, Dock 79, 79 Potomac Ave SE, Washington DC, 5 p.m., (Walk Off: \$5,000 | Grand Slam: \$2,500 | Home Run: \$1,000 to RSCC)**

**Thursday, July 19**

**ALEC Annual Meeting, Denver**

**Sen. Stephanie Kunze (R-Hilliard) manicure fundraiser, W Nail Bar, 946 N. High Street, Columbus, 4 p.m., (PAC: \$500 | Individual: \$250 | Young Professional: \$50 to Citizens for Stephanie Kunze. RSVP is required to ensure appointment.)**

**Sen. Matt Dolan (R-Chagrin Falls) Batter Up fundraiser, Progressive Field, 2401 Ontario Street, Cleveland, 4 p.m., (4:00pm Warm Up & Batting | 5:30pm Reception. Grand Slam: \$5,000 | Home Run: \$2,500 | Single: \$1,000 | Spectator: \$150 to Friends of Matt Dolan)**

## **Friday, July 20**

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### **ALEC Annual Meeting, Denver**

**Rep. Tom Patton (R-Strongsville) golf outing fundraiser, Mallard Creek Golf Club, 34500 Royalton Road (SR 82), Columbia Station, 10 a.m., (10:00 am Shotgun start; Tournament: \$2,000, Eagle: \$1,000; Foursome: \$600, Birdie:\$5000, Person: \$150 to Friends of Tom Patton)**

## **Saturday, July 21**

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### **ALEC Annual Meeting, Denver**

## **Sunday, July 22**

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### **YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

## **Monday, July 23**

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**YMCA Youth & Government Leaders Training School, Statehouse, Columbus  
Sen. Matt Huffman (R-Lima) golf outing fundraiser, Hidden Creek Golf Club, 6245 Sugar Creek Road, Lima, 9 a.m., (9:00am Registration | 10:00am Shotgun Start.  
Event Sponsor: \$1,000 | Foursome: \$400 | Tee or Green Sponsor: \$200 | Individual Golfer: \$100 to Huffman for Ohio)**

## **Tuesday, July 24**

---

**YMCA Youth & Government Leaders Training School, Statehouse, Columbus  
Rep. Bill Seitz (R-Cincinnati) fundraiser, Gresso's, 961 S. High St., Columbus, 5 p.m., (Gold: \$2,000; Silver: \$1,000; Bronze: \$500 to Seitz for Ohio)**

## **Wednesday, July 25**

---

**YMCA Youth & Government Leaders Training School, Statehouse, Columbus  
Sen. Rob McColley (R-Napoleon) golf outing fundraiser, Eagle Rock Golf Club, 211 Carpenter Road, Defiance, 11 a.m., (11:00am Registration and Lunch | 12:00pm Shotgun Start | 5:30pm Cocktail Hour | 6:00pm Dinner with State Rep. Craig Riedel. Event Sponsor: \$2,500 | Tee Sponsor: \$1,000 | Green Sponsor: \$500 | Foursome: \$400 | Dinner Sponsor: \$250 | Individual Golfer: \$100 to Citizens for McColley)**

## **Thursday, July 26**

---

**YMCA Youth & Government Leaders Training School, Statehouse, Columbus  
Rep. Craig Riedel (R-Defiance) golf outing fundraiser, Eagle Rock Golf Club, 211 Carpenter Rd., Defiance, 9:30 a.m., (9:30 Shotgun Start. Event:\$2,500, Tee:\$1,000, Green:\$500, Foursome:\$400, Golfer: \$100 to Citizens to Elect Craig Riedel)  
Rep. Bill Blessing (R-Cincinnati) fundraiser, Via Vite, 520 Vine St., Cincinnati, 11:30 a.m., (Sponsor: \$1,000, Host: \$500, Guest: \$250 to Citizens for Blessing)**

**Friday, July 27**

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**YMCA Youth & Government Leaders Training School, Statehouse, Columbus**

**Monday, July 30**

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**NCSL Legislative Summit, Los Angeles**

**Tuesday, July 31**

---

**NCSL Legislative Summit, Los Angeles**

**Deadline to file semi-annual campaign finance reports**

**Wednesday, August 1**

---

**NCSL Legislative Summit, Los Angeles**

**Rep. Riordan McClain (R-Upper Sandusky) golf outing fundraiser**

**Thursday, August 2**

---

**NCSL Legislative Summit, Los Angeles**

**Rep. Anne Gonzales (R-Westerville) Lake Erie fundraiser, Dock's Beach House,  
252 W. Lakeshore Drive, Port Clinton, 4 p.m., (Sponsor: \$2,500 | Host: \$1,000 |  
Guest: \$500 to Citizens for Anne Gonzales)**

**Friday, August 3**

---

**Deadline for statewide candidates to file July campaign finance reports**

**Speaker Ryan Smith (R-Bidwell) golf outing fundraiser, Cliffside Golf, 100 Cliffside  
Drive, Gallipolis, 9 a.m., (Coffee/Registration: 9:00am; Shotgun Start: 10:00am;  
Event Chair: \$12,707.79; Event host: \$5,000; Event sponsor: \$2,500; Tee Sponsor:  
\$1,000; Foursome: \$500; Individual Golfer: \$150; Reception only: \$75 to Friends of  
Ryan Smith)**

**Sen. Sandra Williams (D-Cleveland) fundraiser, FOP Hall, 2249 Payne Ave.,  
Cleveland, 5 p.m., (\$200 (table); \$20 (friend) to Friends of Sandra Williams)**

**Tuesday, August 7**

---

**Special election for 12th Congressional District seat**

**Rep. Laura Lanese (R-Grove City) fundraiser, Condado, 132 S. High St., Columbus,  
11:30 a.m., (Host: \$1,000, Sponsor: \$500, Patron: \$350 to Lanese for Ohio)**

**Wednesday, August 15**

---

**Rep. Theresa Gavarone (R-Bowling Green) golf outing fundraiser**

**Thursday, August 16**

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**Sen. Bob Hackett (R-London) golf outing fundraiser**

**Friday, August 17**

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**Sen. Bill Beagle (R-Tipp City) Fly Fishing fundraiser**

**Monday, August 20**

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**Rep. Laura Lanese (R-Grove City) golf outing fundraiser, Pinnacle Golf Club, 1500 Pinnacle Golf Club Dr., Grove City, 10 a.m., (10:00 am Registration, 11:00 am Shotgun start, Dinner to follow; Event:\$1,500, Food and Beverage: \$700, Golfer: \$150; Hole: \$100 to Lanese for Ohio)**

**Thursday, August 23**

---

**Hamilton County GOP State Legislative golf outing fundraiser**

**Monday, August 27**

---

**Rep. Scott Ryan (R-Newark) golf outing fundraiser, Denison Golf Club, 555 Newark Granville Rd., Granville, 9 a.m., (9:00 am Registration, 10:00 am Shotgun Start. Event: \$2500; Food and Beverage: \$1000; Tee: \$750; Foursome: \$500; Golfer: \$125; Green: \$100 to Citizens for Scott Ryan)**

**Saturday, September 1**

---

**Lobbyists/Employers can begin filing May-August 2018 Activity & Expenditure Reports**

**Thursday, September 6**

---

**Deadline for statewide candidates to file August campaign finance reports  
Rep. Rick Carfagna (R-Westerville) golf outing fundraiser**

**Friday, September 14**

---

**Rep. Dave Greenspan (R-Westlake) golf outing fundraiser, Springdale Golf Course, 5871 Canterbury Road, North Olmstead, 9 a.m., (9:00 am Shotgun Start, Lunch at the Turn, Dinner to follow; Dinner Sponsor: \$1,500, Lunch Sponsor: \$1,000, Drink Sponsor: \$750, Hole Sponsor: \$100; Foursome: \$500, Single Golfer: \$125, Dinner only: \$60 to Friends of Dave Greenspan)**

**Thursday, September 27**

---

**Sen. President Larry Obhof (R-Medina) shotgun fundraiser**

**Friday, September 28**

---

**Rep. Dave Greenspan (R-Westlake) golf outing fundraiser  
Sen. Joe Uecker (R-Loveland) Day at the Races fundraiser**

**Monday, October 1**

---

**JLEC Deadline for filing May-August 2018 Activity & Expenditure Report**

**Wednesday, October 3**

---

**Deadline for statewide candidates to file September campaign finance reports**

**Thursday, October 25**

---

**Deadline to file pre-general campaign finance reports**

**Tuesday, November 6**

---

**General election day**

**Thursday, November 8**

---

**2018 Impact Ohio Post Election Conference, Greater Columbus Convention Center, 400 N. High St., Columbus**

**Saturday, December 1**

---

**Lobbyists can begin renewing Legislative, Executive and Retirement System registrations for 2019**

**Friday, December 14**

---

**Deadline to file post-general campaign finance reports**

**Monday, December 31**

---

**All 2018 Legislative, Executive and Retirement System lobbying registrations expire in OLAC**

**Thursday, January 31**

---

**Deadline to 2018 annual campaign finance reports**

**Deadline to 2018 annual campaign finance reports**

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**From:** Westlake, Libby  
**Sent:** Monday, July 9, 2018 10:28 AM  
**To:** Best, Carolyn; Adams, Alexandra; Slack, Cora; Crock, Sarah  
**Subject:** RE: Talking Points

Also check the I Drive: Committee Info and Bill Briefings.... It's been helpful to check specific committee folders for each of my topics.

## **Libby Henson**

Special Assistant to the Speaker for Correspondence  
Office of Speaker Ryan Smith | Ohio House of Representatives  
(614) 728-5448

**From:** Best, Carolyn  
**Sent:** Friday, July 06, 2018 11:24 AM  
**To:** Adams, Alexandra <[Alexandra.Adams@ohiohouse.gov](mailto:Alexandra.Adams@ohiohouse.gov)>; Westlake, Libby <[Libby.Westlake@ohiohouse.gov](mailto:Libby.Westlake@ohiohouse.gov)>; Slack, Cora <[Cora.Slack@ohiohouse.gov](mailto:Cora.Slack@ohiohouse.gov)>; Crock, Sarah <[Sarah.Crock@ohiohouse.gov](mailto:Sarah.Crock@ohiohouse.gov)>  
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Hi everyone,

I think I have solidified a plan/template for summer talking points. Attached you'll find an example for the topic of School Safety. Below is a list of resources and topic assignments. As you work through these, just let me know if you think we need to change a topic or a make a sub topic.

Content is key here, rather than presentation just because we don't have much time at all. This will be our main priority for the next week. I will make Scott aware that we'll be sending these to policy and we need feedback ASAP. If you are not hearing back from someone please let me know. Just text me/email/call me if you have any questions about bills/rhetoric as you're going through these... again, we need to get these done quickly.

To keep things moving, I think it's best we fill these in and have policy review after... here is how I envision the process going...

### **Process:**

- 1) Comms creates one-pagers
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- 3) Alex/team finalizes design/presentation
- 4) Carolyn sends to Scott/Shawn/Brad for final edits
- 5) Comms final edits

6) Send to members

**Resources:**

- 1) Sent file in drive (search key words)
- 2) Snapshots
- 3) Templates
- 4) Press releases
- 5) PSAs
- 6) News articles
- 7) Talking points saved in drive
- 8) Bills signed by governor

**Topics:**

**Libby**

- 2<sup>nd</sup> Amendment
- Agriculture
- Right to Work
- Workers Comp (BWC rebates)
- Local Government
- Elections

**Carolyn**

- School Safety
- School safety (mental health component; bullying, suicide)
- Economic Development
- Unemployment Compensation
- Budget
- Pro-Life
- General Accomplishments

**Alex**

- Dogs/animals
- Redistricting/Voting machines
- Lake Erie/environment

**Cora**

- Civil Justice/Crime (reagan tokes, hughes bill, telemarketing law)

- Military/Veterans

**Sarah**

- Education/E-Schools
- Utilities
- Opioid Epidemic
- Health
- Transportation/Transportation Budget

Thanks guys!

**Carolyn Best**

*Director of Communications*  
Speaker Ryan Smith/Ohio House of Representatives  
77 S. High Street, Columbus, Ohio 43215  
Office Phone: 614.644.1739  
Cell Phone: 740.815.9635

**From:** Best, Carolyn  
**Sent:** Monday, July 9, 2018 11:07 AM  
**To:** Westlake, Libby; Adams, Alexandra; Slack, Cora; Crock, Sarah  
**Subject:** RE: Talking Points

Also, please CC Scott & Marisa on emails to policy staff.

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**Topics:**

**Libby**

- 2<sup>nd</sup> Amendment
- Agriculture
- Right to Work
- Workers Comp (BWC rebates)
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**Carolyn**

- School Safety
- School safety (mental health component; bullying, suicide)
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**Sarah**

- Education/E-Schools
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- Opioid Epidemic
- Health
- Transportation/Transportation Budget

Thanks guys!

**Carolyn Best**

*Director of Communications*  
Speaker Ryan Smith/Ohio House of Representatives  
77 S. High Street, Columbus, Ohio 43215  
Office Phone: 614.644.1739  
Cell Phone: 740.815.9635

**From:** Best, Carolyn  
**Sent:** Monday, July 9, 2018 11:45 AM  
**To:** Westlake, Libby; Adams, Alexandra; Slack, Cora; Crock, Sarah  
**Subject:** RE: Talking Points

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**From:** Westlake, Libby  
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Special Assistant to the Speaker for Correspondence  
Office of Speaker Ryan Smith | Ohio House of Representatives  
(614) 728-5448

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**To:** Adams, Alexandra <Alexandra.Adams@ohiohouse.gov>; Westlake, Libby <Libby.Westlake@ohiohouse.gov>; Slack, Cora <Cora.Slack@ohiohouse.gov>; Crock, Sarah <Sarah.Crock@ohiohouse.gov>  
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**From:** Slack, Cora  
**Sent:** Monday, July 9, 2018 11:46 AM  
**To:** Best, Carolyn; Westlake, Libby; Adams, Alexandra; Crock, Sarah  
**Subject:** RE: Talking Points

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**Sent:** Monday, July 09, 2018 11:45 AM  
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Speaker Ryan Smith/Ohio House of Representatives

77 S. High Street, Columbus, Ohio 43215

**Office Phone:** 614.644.1739

**Cell Phone:** 740.815.9635

**From:** Crock, Sarah  
**Sent:** Monday, July 9, 2018 3:42 PM  
**To:** Westlake, Libby; Best, Carolyn; Adams, Alexandra; Slack, Cora  
**Subject:** RE: Talking Points

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**From:** Crock, Sarah  
**Sent:** Monday, July 9, 2018 3:53 PM  
**To:** Best, Carolyn  
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Great, thank you.

Sarah Crock  
LSC Fellow '18  
Majority Communications  
Ohio House of Representatives  
(614) 466-5007

**From:** Best, Carolyn  
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Speaker Ryan Smith/Ohio House of Representatives

77 S. High Street, Columbus, Ohio 43215

**Office Phone:** 614.644.1739

**Cell Phone:** 740.815.9635

**From:** Westlake, Libby  
**Sent:** Tuesday, July 10, 2018 10:11 AM  
**To:** Best, Carolyn  
**Subject:** RE: Talking Points

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Here's the section on HB 631:

**House Bill 631 (Hughes/Patterson, referred to committee 5/15/2018)**

- Makes a number of reforms to Ohio's laws regarding amusement ride operation and safety
- Revises current safety inspection standards, defines the qualifications for ride inspectors, and requires ride owners to maintain current records for all amusement rides
- Known as "Tyler's Law" in honor of Tyler Jarrell who lost his life after an amusement ride malfunctioned at the Ohio State Fair in July 2017

**Libby Henson**

Special Assistant to the Speaker for Correspondence  
Office of Speaker Ryan Smith | Ohio House of Representatives  
(614) 728-5448

**From:** Best, Carolyn  
**Sent:** Friday, July 06, 2018 11:24 AM  
**To:** Adams, Alexandra <Alexandra.Adams@ohiohouse.gov>; Westlake, Libby <Libby.Westlake@ohiohouse.gov>; Slack, Cora <Cora.Slack@ohiohouse.gov>; Crock, Sarah <Sarah.Crock@ohiohouse.gov>  
**Subject:** Talking Points

Hi everyone,

I think I have solidified a plan/template for summer talking points. Attached you'll find an example for the topic of School Safety. Below is a list of resources and topic assignments. As you work through these, just let me know if you think we need to change a topic or make a sub topic.

Content is key here, rather than presentation just because we don't have much time at all. **This will be our main priority for the next week.** I will make Scott aware that we'll be sending these to policy and we need feedback ASAP. If you are not hearing back from someone please let me know. Just text me/email/call me if you have any questions about bills/rhetoric as you're going through these... again, we need to get these done quickly.

To keep things moving, I think it's best we fill these in and have policy review after... here is how I envision the process going...

**Process:**

- 1) Comms creates one-pagers
- 2) Sends each draft to policy person
- 3) Alex/team finalizes design/presentation
- 4) Carolyn sends to Scott/Shawn/Brad for final edits
- 5) Comms final edits
- 6) Send to members

**Resources:**

- 1) Sent file in drive (search key words)
- 2) Snapshots
- 3) Templates
- 4) Press releases
- 5) PSAs
- 6) News articles
- 7) Talking points saved in drive
- 8) Bills signed by governor

**Topics:**

**Libby**

- 2<sup>nd</sup> Amendment
- Agriculture
- Right to Work
- Workers Comp (BWC rebates)
- Local Government
- Elections

**Carolyn**

- School Safety
- School safety (mental health component; bullying, suicide)

- Economic Development
- Unemployment Compensation
- Budget
- Pro-Life
- General Accomplishments

**Alex**

- Dogs/animals
- Redistricting/Voting machines
- Lake Erie/environment

**Cora**

- Civil Justice/Crime (reagan tokes, hughes bill, telemarketing law)
- Military/Veterans

**Sarah**

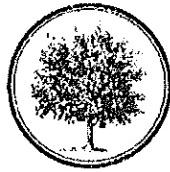
- Education/E-Schools
- Utilities
- Opioid Epidemic
- Health
- Transportation/Transportation Budget

Thanks guys!

**Carolyn Best**

*Director of Communications*  
Speaker Ryan Smith/Ohio House of Representatives  
77 S. High Street, Columbus, Ohio 43215  
**Office Phone:** 614.644.1739  
**Cell Phone:** 740.815.9635

**From:** The Buckeye Institute  
**Sent:** Tuesday, July 10, 2018 11:05 AM  
**To:** Best, Carolyn  
**Subject:** The Buckeye Institute Launches Workers Choose Campaign to Allow Public Employees to Express First Amendment Rights in Wake of Janus Ruling



# THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms  
(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

**FOR IMMEDIATE RELEASE**  
July 10, 2018

## **The Buckeye Institute Launches Workers Choose Campaign to Allow Public Employees to Express First Amendment Rights in Wake of *Janus* Ruling**

**Columbus, OH** -- Following the U.S. Supreme Court's decision in *Janus v. AFSCME*, The Buckeye Institute launched its Workers Choose campaign, which gives public employees in Ohio the tools they need to express their newly-recognized First Amendment rights.

"In *Janus v. AFSCME*, the U.S. Supreme Court ruled that public-sector workers can no longer be forced to pay for political speech without their affirmative consent," said Robert Alt, president and chief executive officer of **The Buckeye Institute**. "For public-sector employees who seek to exercise their First Amendment rights and withdraw from their government union, **WorkersChoose.org** will allow them to initiate the process online in three easy steps. For those workers who are happy to continue supporting their government unions, they also have the First Amendment right to maintain their membership in them. The Janus decision is a win for all of our public workers, who are now respected and have a right to choose -- and those choices must be honored. I'm not sure how anyone could be opposed to letting workers decide for themselves."

To initiate the process of withdrawing from their government union, visitors to **WorkersChoose.org** will:

- Be asked to provide their name and email address;
- Find and select the county in which they work from a dropdown menu;
- Choose their employer from a dropdown menu; and
- Identify their government union in a dropdown menu.

Instructions will then appear that outline the opt-out process for that union and, when known, the specified timeframe or opt-out window. A completed notification letter, unique for each user, will be available for download and submission, as will union and employer contact information. Workers will simply need to download the letter and either email or send a hard copy to the listed contacts as instructed. If workers are required to email or send their notification letter at a future date, visitors have the option of signing up to receive an email notification when their opt-out window opens.

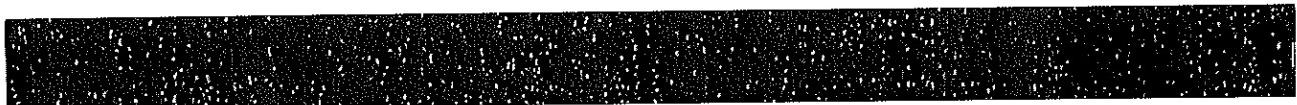
For public employees who have questions, there is a toll-free number, 1-855-e-Choose, and an email address, **WorkersChoose@BuckeyeInstitute.org**, that they can use for further assistance.

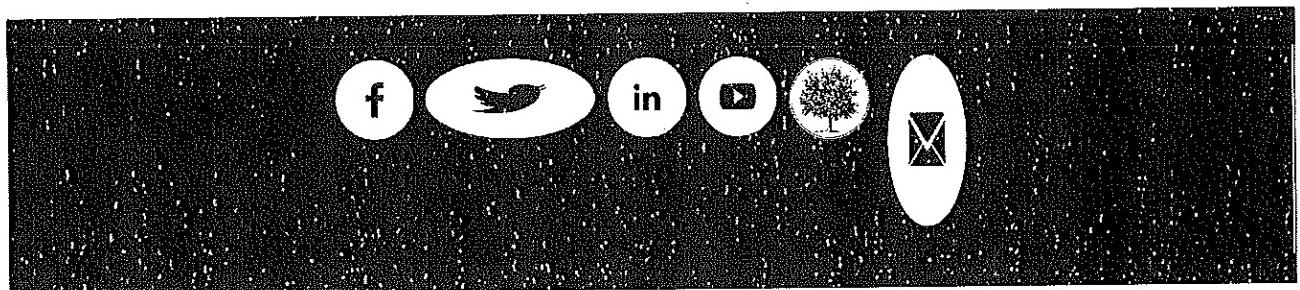
"If you are one of Ohio's hardworking teachers or other public-sector employees who prefer not to financially support or participate in your government union, **WorkersChoose.org** will allow you to begin the notification process today," said Alt.

# # #

*Founded in 1989, The Buckeye Institute is an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.*

*The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.*





The Buckeye Institute, 88 East Broad Street,  
Suite 1120, Columbus, OH 43215

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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** Westlake, Libby  
**Sent:** Tuesday, July 10, 2018 11:07 AM  
**To:** Griffin, Lisa; Lundregan, Scott; Myers, Marisa; Best, Carolyn  
**Subject:** Right-to-Work talking points for review  
**Attachments:** Right-to-work.docx

Attached – thank you!

**Libby Henson**

Special Assistant to the Speaker for Correspondence  
Office of Speaker Ryan Smith | Ohio House of Representatives  
(614) 728-5448

## **RIGHT-TO-WORK**

### **Talking to public and private employers and employees, labor unions**

*In an effort to keep Ohio competitive, right-to-work legislation prioritizes workers' rights while encouraging economic growth and competition among industry. Should Ohio become a right-to-work state, it would be more competitive with bordering right-to-work states.*

#### **House Joint Resolution 7 (Becker/Riedel, referred to committee 1/16/2018)**

- Private-sector right-to-work: No worker should be required to subsidize a union as a condition of employment. This emphasizes that Ohio is open for business.

#### **House Joint Resolution 8 (Becker/Riedel, referred to committee 1/16/2018)**

- Public-sector right-to-work: Like for the private sector, no worker should be required to subsidize a union as a condition of employment.

#### **House Joint Resolution 9 (Becker/Riedel, referred to committee 1/16/2018)**

- Public-sector prevailing wage: Repeals the requirement for taxpayers to pay artificially inflated wages, rather than those that are market-based.

#### **House Joint Resolution 10 (Becker/Riedel, referred to committee 1/16/2018)**

- Public-sector paycheck protection: Prohibits state and local government employers from withholding union dues or fees from workers' wages. Unions will also be prohibited from spending workers' money on political activities without workers' consent.

#### **House Joint Resolution 11 (Becker/Riedel, referred to committee 1/16/2018)**

- Public-sector project labor agreements: State and local government entities will be prohibited from engaging in contracts that minimize competition for construction projects by requiring that only union or non-union labor can be considered, creating a level playing field.

#### **House Joint Resolution 12 (Becker/Riedel, referred to committee 1/16/2018)**

- Public-sector union recertification: Requires annual reconsideration and recertification of workers' bargaining units, opening up competition for new bargaining units, giving workers a chance to have their voices heard, and making union leadership accountable to their membership.

#### **House Bill 163 (Roegner/Riedel, referred to committee 5/1/2017)**

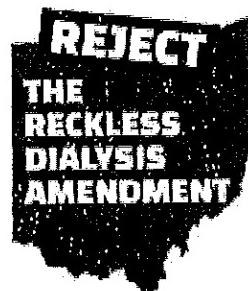
- Allows a political subdivision, special district, or state institution of higher education to opt out of Ohio's prevailing wage law

**Janus v. AFSCME Decision**

- Overturned *Abood v. Detroit Board of Education*, which had allowed public-sector labor unions to collect “agency fees” from bargaining unit members who opt out of union membership
- No agency or fair share fee can be collected by public-sector labor unions unless the public employee agrees to pay

**From:** Ohioans Against the Reckless Dialysis Amendment  
**Sent:** Tuesday, July 10, 2018 11:39 AM  
**To:** Best, Carolyn  
**Subject:** Ohio Kidney Patient, Healthcare Groups Oppose Reckless Dialysis Amendment

[View this email in your browser](#)



Tuesday, July 10, 2018

## **Ohio Kidney Patient, Healthcare Groups Unite Against Reckless Dialysis Amendment**

(COLUMBUS) – Ohioans Against the Reckless Dialysis Amendment, a broad coalition of leading kidney care organizations, nurses, physicians and patient advocates, today announced its opposition to a proposed Constitutional Amendment that threatens to reduce access to Ohio's 326 out-patient dialysis clinics for the 18,000 Ohioans suffering from kidney failure.

Dialysis providers are among the most regulated healthcare provider groups in the country. All out-patient clinics are licensed by the Ohio Department of Health, certified by the federal Centers for Medicare and Medicaid Services (CMS), and highly regulated under current state and federal laws and regulations. Current laws and regulations address, among other things, patient safety; environmental cleanliness; infection prevention and control; emergency preparedness; staff training and continuing education; and water system and equipment maintenance. Clinics must also submit to unannounced quality assessments and inspections by the Ohio Department of Health.

"The proposed amendment was written by a California-based special interest group with no experience in dialysis care and – without any evidence of a problem – would recklessly lock dangerous, arbitrary rules into the Ohio Constitution, threatening access to high-quality care for thousands of Ohioans," said Diane Wish, co-founder and president of the Ohio Renal Association (ORA). "What's worse, the amendment calls for rebates that will end up in the pockets of insurance companies, not patients."

Wish, a registered nurse with more than 40 years of experience in providing dialysis treatment, is joined by other kidney care experts and physicians in opposition to the proposed amendment initiated by the California-based SEIU-UHW West.

"I've seen first-hand the devastating health consequences my dialysis patients face without proper access to care," said Dr. Henry Wehrum, a nephrologist (kidney specialist) with nearly 30 years of experience in the field, who also serves on the board of the Ohio Osteopathic Association (OOA). "The Ohio Constitution is simply not the place for complicated healthcare policy. And because it's written as a Constitutional Amendment, when things go wrong it can only be changed by another Constitutional Amendment – that's not a risk I'm willing to take on behalf of my patients."

Michael Needham, president and CEO of the Kidney Foundation of Ohio (KFO) added, "the Kidney Foundation of Ohio opposes the amendment because it will harm patients, not help them. The Amendment threatens to reduce the number of centers available to Ohioans, which would be especially harmful to vulnerable patients." The Kidney Foundation of Ohio is a patient advocacy group that has been providing a broad-based program of direct assistance to those with kidney disease since 1950.

To date, the organizations opposing the amendment include:

- Academy of Medicine of Cleveland and Northern Ohio
- Chronic Disease Coalition
- Diabetes Dayton
- Dialysis Patient Citizens
- Global Healthy Living Foundation
- Kidney Care Council
- Kidney Care Partners
- Kidney Foundation of Ohio
- National Renal Administrators Association

- Nonprofit Kidney Care Alliance
- Ohio Academy of Nutrition and Dietetics
- Ohio Osteopathic Association
- Ohio Renal Association
- Ohio Sickle Cell and Health Association
- Ohio State Medical Association
- Renal Physicians Association
- Renal Support Network

Based on campaign finance filings, the California-based SEIU is believed to have hired hundreds of paid petition circulators, many from out-of-state, to gather signatures from Ohio voters. On Wednesday, July 4, the group submitted signatures to the Ohio Secretary of State in an attempt to qualify the issue for the November 6 Ohio statewide ballot. The petitions and signatures are now under review by elections officials.

"The SEIU has a long history of abusing the ballot issue process to advance its own political agenda," said coalition spokesperson Gene Pierce. "That its amendment would actually harm Ohio dialysis patients comes as no surprise to those familiar with the SEIU? 9s strong-arm tactics."

Among the proposed Constitutional mandates are provisions directing the Ohio Department of Health to establish arbitrary revenue limits for Ohio clinics and require rebates to private health insurance companies should revenues exceed those arbitrary limits. The amendment excludes Medicare, Medicaid and other government payers — which cover nearly 90 percent of dialysis patients in Ohio — from receiving rebates, leaving only private health insurance companies able to receive them. The amendment does not require insurance companies to pass on any savings to patients.

Coalition members are concerned that arbitrary revenue limits will force some dialysis providers to consolidate operations or close locations, reducing access to critical dialysis care – particularly for patients in rural, urban, and underserved areas.

The non-partisan coalition is planning a statewide campaign to educate Ohio voters on the ballot issue's dangerous consequences, should the issue be placed on the ballot.

The estimated 18,000 Ohioans suffering from end stage renal disease (ESRD) typically receive life-preserving dialysis treatments in a clinic three times a week, with each visit taking three to four hours.

According to national research, missing even one dialysis treatment increases a patient's risk of death by 30 per cent. Find more information on ESRD in Ohio [here](#).



**PAID FOR BY OHIOANS AGAINST THE RECKLESS DIALYSIS AMENDMENT**

**Our mailing address is:**

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resume to 8.5 percent, Ohio will employ 25,400 fewer people and produce nearly \$2.8 billion less output by the final year of compliance.[7]

Advocates of the RPS mandates contend that increasing investments and job growth in the renewable energy sector offsets the program's economic costs and losses. Our model accounts for such green job growth. By using Ohio's historical RPS, electricity, and employment data, our model calculates green job growth and changes to non-green sectors attributable to the mandate. The model found that green job growth did not make up for the heavier job losses in other sectors.

Other studies, of course, claim to find economic benefits from RPS programs. Our model and analysis, however, better reflects the likely economic effects of the policy because it is closely tailored to the renewable mandate and does not conflate RPS costs with reduced bills from energy-efficiency mandates. Moreover, our fully documented and transparent model is dynamic, showing changes over time, and does not rely on a static input-output analysis.[8]

Dynamic economic models are better suited than static input-output models for assessing the potential economic impacts of policies like RPS. Input-output models fail to account correctly for behavioral changes such as the effects that a price increase has on electricity demand and total output -- especially in energy-intensive industries.[9] In other words, static input-output models incorrectly assume that green jobs will be created without taking resources away from other, non-green sectors of the economy. In theory, however, the increase in electricity prices caused by the RPS should force job losses and reductions in hiring growth in other sectors that do not receive the benefits of the mandate -- and our findings confirm that theory. Thus, unlike other studies, our analysis accounts for economic realities like higher electricity prices and non-green sector layoffs rather than assuming or wishing them away.

Before concluding, I would like to highlight a problem with the current and proposed wind turbine setback rules. The current rule restricts the wind energy industry too severely. Unfortunately, House Bill 114 proposes a flawed solution to the current restrictions that will likely do further damage to property rights in Ohio.

Wind setback rules create a classic property rights conflict. Landowners have a right to place windmills on their property, but their neighbors also have a right to enjoy their own property. Unfortunately, the current setback rule -- requiring the consent of every neighbor adjacent to the proposed windmill -- fails to answer this rudimentary property law question correctly. Neighbors should not hold an absolute veto power over what other property owners may and may not do on their own land. But the proposed solution in House Bill 114

that reduces the setback distance between the windmill and the neighbors is unsatisfactory as well because it infringes upon the neighbors' right to enjoy their property free of windmills.

The answer lies in compensation. Landowners who want windmills should be required to pay their neighbors fair compensation for the windmills' effect on the neighbors' enjoyment of their property. State law should embrace and recognize the property interests of both parties -- without subjugating one to the other -- and facilitate negotiations for fair compensation that must be paid to directly affected landowners. Preserving vetoes and shrinking setbacks are well-intended, half-measures that unfortunately threaten to exacerbate the current conflict rather than resolve it.

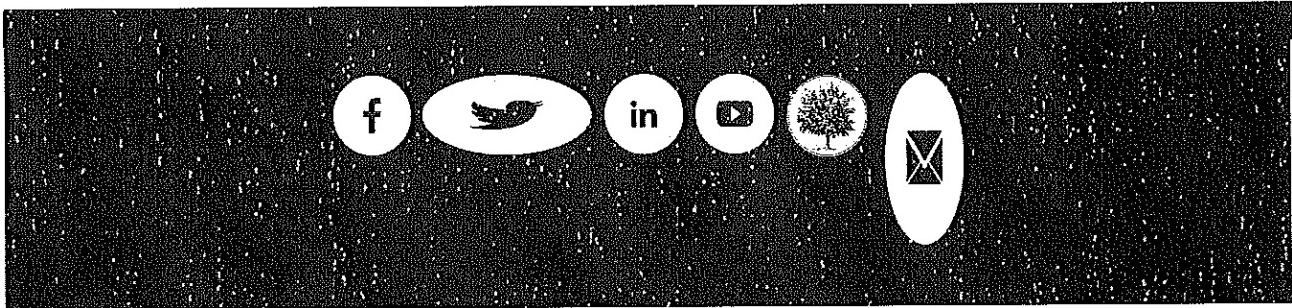
Thank you for your time. I would be happy to answer any questions from the Committee.

- 
- [1] Greg R. Lawson, research fellow, The Buckeye Institute, Testimony Before the Ohio House Public Utilities Committee, "Utility Subsidies Hurt Competition and Hurt Ohio," October 3, 2017.
  - [2] Joe Nichols, **An Ohio Cure for the Nuclear Subsidy Contagion**, Akron Beacon Journal/Ohio.com, July 18, 2017.
  - [3] **2018 Fact Book: Sustainable Energy in America, Executive Summary**, Bloomberg New Energy Finance and the Business Council for Sustainable Energy, February 15, 2018.
  - [4] Dees Stribling, **Amazon Moving Ahead With Prime Air Hub at Cincinnati/Northern Kentucky International Airport**, Bisnow National, May 4, 2018.
  - [5] **EnerBlu Completes Relocation of Corporate Headquarters to Lexington, Kentucky**, EnerBlu press release, May 2, 2018.
  - [6] Orphe Divounguy PhD., Rea S. Hederman Jr., Joe Nichols, and Lukas Spitzwieser, **Economic Research Center Analysis: The Impact of Renewables Portfolio Standards on the Ohio Economy**, The Buckeye Institute, March 3, 2017.
  - [7] REC prices likely will rise for three reasons. First, demand for RECs will grow as (1) annual compliance targets increase in states with existing RPS laws, (2) many states (e.g., New York and California) seek to increase existing or implement new RPS targets, and (3) companies (e.g., Amazon and Facebook) seek to offset more of their fossil fuel- and nuclear-generated electricity with renewables. Second, the demand for RECs will likely outpace the supply of renewable energy, causing REC prices to rise. Building new renewable generation sources greatly depends on federal tax credits and subsidies -- and the most significant of those are scheduled to sunset within the next three to seven years (i.e., 2020 for wind and 2024 for solar). With the Trump Administration in office for at least two more years, new federal support and regulations favoring renewable generation investments appear less likely.
  - [8] Larry Dwyer, Peter Forsyth, and Ray Spurr, "**Assessing the Economic Impacts of Events: A Computable General Equilibrium Approach**," *Journal of Travel Research*, Volume 45, Issue 1 (August 2006) p. 59-66.
  - [9] *Ibid.*

# # #

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**From:** Capitol Letter  
**Sent:** Friday, June 8, 2018 6:15 AM  
**To:** Best, Carolyn  
**Subject:** Payday loan restrictions among long list of measures adopted by House

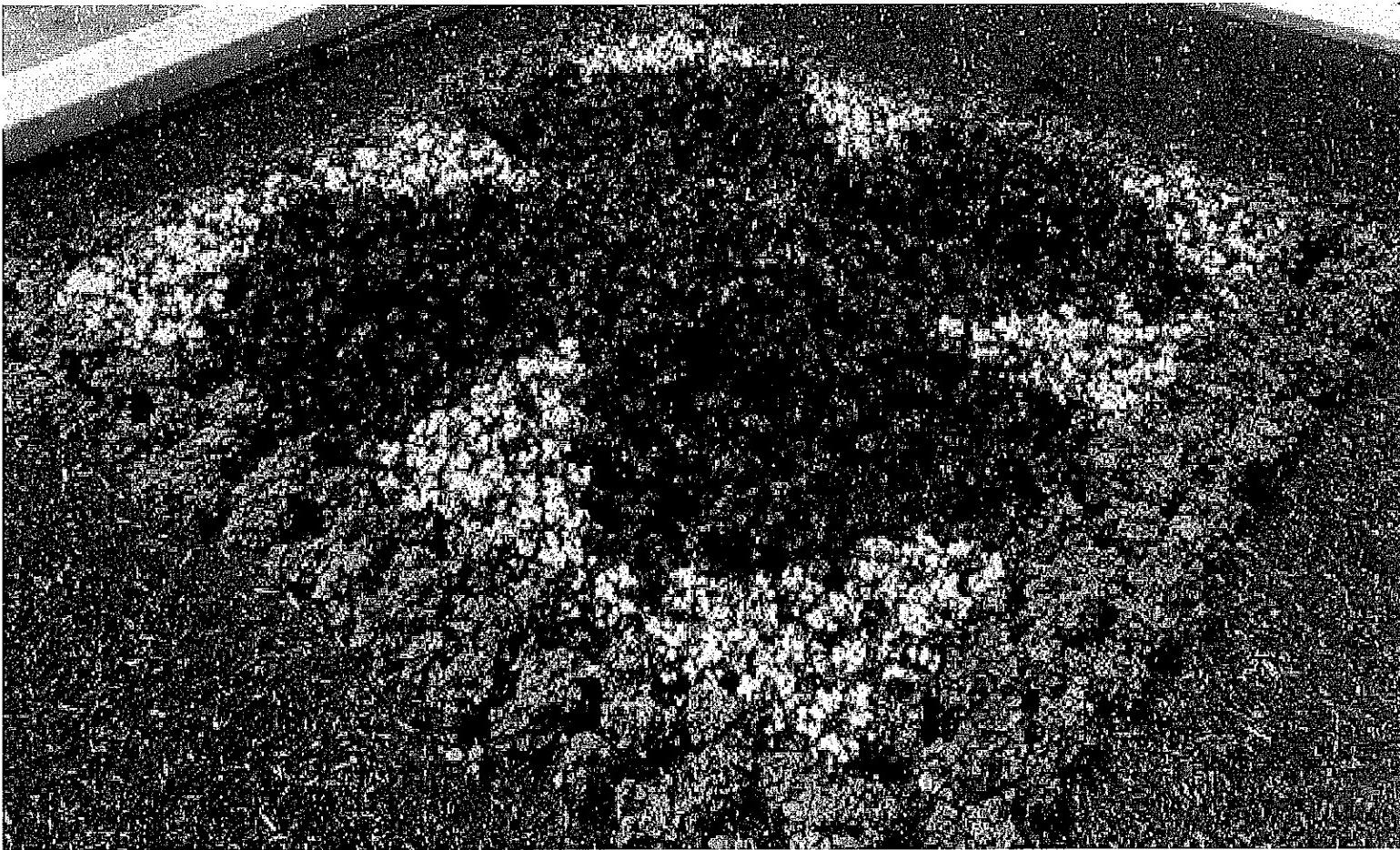
Friday, June 8, 2018

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# Capitol Letter

Laura Hancock and Jeremy Pelzer



A garden bed on the north side of the Ohio Statehouse showcases a poppy quilt design to commemorate the 100th anniversary of the end of World War I. (Laura Hancock/cleveland.com)

## Rotunda Rumblings

**The long and winding road:** Meeting for a voting session for the first time in about eight weeks, the House adopted a long list of bills, including a measure that would restrict payday lenders' rates to 28 percent, down from an average 591 percent, writes cleveland.com's Laura Hancock. House Bill 123 now heads to the Senate, where there are plenty of opportunities for the bill to be altered or to sink.

**Payday lender or loan shark?** Is there really a difference between those

two terms. [Cleveland.com's Eric Heisig](#) has a piece exploring the question, along with some interesting history on the short-term loan.

**One step for man, one giant leap for dogkind...** [Hancock](#) reports that dogs are one step closer to lawfully accompanying their people to dinner, as long as they're chilling in outdoor restaurant patios. The Ohio Senate passed a measure to allow restaurant owners to choose if they want pups on patios.

**Clearing the backlog:** In all, the Ohio House on Thursday passed 17 bills, including measures to prohibit hospitals from forcing nurses to work overtime ([House Bill 456](#)) and allow payouts to Ohioans who are wrongfully imprisoned because of withheld evidence ([House Bill 411](#)). House members also concurred with the Senate's changes to an additional 11 bills. Among them: [House Bill 225](#), which aims to help plug 700 orphaned and abandoned oil and gas wells in the state.

**Leneghan to challenge OH-12 results:** Republican Melanie Leneghan is drawing up paperwork to contest the results of last month's 12th Congressional District primary, claiming Muskingum County elections officials violated Ohio law by opening ballot containers before starting a recount. But an Ohio secretary of state's office spokesman [told cleveland.com's Jeremy Pelzer](#) that "there doesn't appear to be anything improper going on."

**More cones of shame could come to Ohio:** The House adopted a bill to give veterinarians continuing education credit for offering free spay and neuter services. [House Bill 433](#) heads to the Senate.

**Pay raises ahead:** The House also undertook a number of bills that had been adopted by the Senate and contained "emergency clauses," or time-sensitive provisions. One of those bills was [House Bill 292](#). Two weeks ago the Senate amended the bill to give 11,000 exempt state employees who are not members of unions a 2.75 pay raise to match the raise Ohio's largest public employees union had negotiated in its collective bargaining agreement. The raise will go into effect, assuming Gov. John Kasich signs it, during the pay period that includes July 1.

**Commercial break is over:** A month after the barrage of 12th Congressional District primary television ads stopped, a new wave of special-election ads is about to hit the Central Ohio airwaves. The Congressional Leadership Fund, a super PAC with ties to House GOP leadership, has purchased \$165,000 worth of broadcast TV ads between Friday and next Tuesday, according to Medium Buying, a political ad tracker.

**Chairman Ryan:** House Speaker Ryan Smith used to chair the influential House Finance Committee and has now given that job to Rep. Scott Ryan, a Columbus-area Republican.

**A little work, a little play?** Since the Ohio House went without a session for roughly eight weeks as a battle over the next speaker dragged on, new Speaker Ryan Smith has a full schedule planned for the chamber for the rest of the month – a time when lawmakers are usually on recess. The House will meet on June 20 and June 27, according to an updated House schedule. Smith said there will be a light committee meeting schedule, if any meet at all.

**PEP in their step:** PEP Connections, a Cuyahoga County behavioral health program for at-risk youth, will stay afloat for at least another year thanks to an appropriation added to a medical anti-discrimination bill, if Kasich signs off, [cleveland.com's Jackie Borchardt reports](#). The program faced a funding cliff July 1 because the state was ending a decades-long Medicaid waiver covering some of its costs to coincide with moving Medicaid behavioral health care payments to the managed care model. House Bill 332 gives the program \$2.5 million to use this year, and lawmakers hope the program can be replicated across the state.

**Getting their day in (administrative) court:** Hearings resume this month for medical marijuana cultivation applicants who appealed the state's licensing decisions, [Borchardt reports](#). The Department of Commerce put the hearings on hold in February after it discovered a scoring error and hired Ernst & Young to make sure scores for all 185 applicants checked out. The agency released Ernst & Young's initial report validating those scores on Thursday.

**Your brain on drugs:** The White House has a new anti-opioid ad campaign designed for shock value. It features the true stories of young people , including one from Ohio, who go to desperate lengths ? 3 including breaking their own bones – to get the addictive painkillers. [Cleveland.com's Sabrina Eaton has the details and video of the commercials.](#)

**Get out of my way:** U.S. Rep. Dave Joyce has introduced a bipartisan bill that would keep the federal government from interfering with states like Ohio that have legalized marijuana, [Eaton reports](#). "We should trust the people of the states, like Ohio, who have voted to implement responsible common-sense regulations and requirements for the use, production, and sale of cannabis," said a statement from Joyce. "If the people of these states have decided to provide help for those veterans and others suffering from pain and other health issues, we should allow them access without government interference."

**Uncle Joe supporting Sherrod:** Former Vice President Joe Biden will headline a fundraiser for U.S. Sen. Sherrod Brown in Cleveland later this month, [reports cleveland.com's Andrew Tobias](#). The appearance suggests Biden, a possible 2020 contender, is keeping his contacts fresh with Ohio Democrats. Brown is running for re-election against Republican U.S. Rep. Jim Renacci.

**Kasich in Foreign Affairs:** Ohio Gov. John Kasich laid out his case for a more open and globally engaged America in a [lengthy piece that published in Foreign Affairs](#) on Thursday. The essay, which touches on things like international trade, immigration and diplomacy with China, is the latest expression of Kasich's ongoing "Two Paths" mantra rebuking President Donald Trump.

**Luck of the draw:** Year-over-year revenues at gambling facilities in the Cleveland area in May were down 5 percent, while elsewhere across Ohio they were flat, [writes cleveland.com's Rich Exner](#). An executive for JACK Casino in Cleveland said the drop is "100 percent attributable" to slightly luckier outcomes for players at the casino's table games.

**Federal judges nominated:** President Donald Trump on Thursday nominated two young attorneys to federal judicial spots on the 6th U.S. Circuit Court of Appeals in Cincinnati, Heisig writes. They are Eric Murphy, 39, and Chad Readler, 45. Murphy is the state solicitor under Attorney General Mike DeWine. Readler is a the principal deputy assistant attorney general in the Justice Department's civil division, and previously was chairman of the board for the Ohio Alliance for Public Charter Schools. Sen. Sherrod Brown said he would not support the nominees because he's not convinced they will support the rights of Ohioans, Heisig reports.

**On the outs:** "Ohio House Democrats took the highly unusual step Thursday of voting to kick Rep. Bernadine Kennedy Kent out of their caucus — and one or more of them are considering taking legal action against her," writes Jim Siegel of the Columbus Dispatch. Kennedy Kent, of Columbus, drew the ire of her colleagues when she wrote a letter to city officials using the signatures of members of the Ohio Legislative Black Caucus without their permission, Siegel reports.

## Full Disclosure

Five things we learned from Springfield Republican Rep. Kyle Koehler's April 9 financial disclosure statement.

1. Koehler's first name actually is Jerome.
2. He reported earning \$100,000 or more in 2017 as vice president of design at K.K. Tool Co. He earned \$65,476 last year as a representative, according to the Ohio Treasurer's office.
3. He received \$113.76 in gifts or meals from lobbyists last year, including a \$51.74 unspecified gift from the Ohio Quarter Horse Association and attended Alvis Inc.'s 180 Degree Impact Luncheon, worth \$50.
4. The Ohio House Republican Organizational Committee paid \$2,371.20 for Koehler's travel.
5. At some point in 2017 he owed at least \$1,000 to Ally on a car loan,

MBNA on a car loan and an MBNA credit card.

## **Birthdays**

Amanda Wurst, vice president of communications, Remington Road Group

## **Straight From The Source**

"The problem with this approach is, I think you're seeing an escalation that may result in both higher tariffs -- which is bad for our exporters, our farmers, our service providers, our factory workers – but also bad for our consumers because you're going to see tariffs or taxes going up on both sides." 0

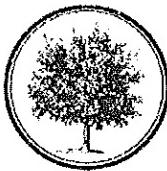
- Republican Ohio U.S. Sen. Rob Portman [on CNN](#) discussing the White House's approach in negotiating the North American Free Trade Agreement with Canada at a time when President Donald Trump has announced tariffs.

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**From:** The Buckeye Institute  
**Sent:** Monday, June 11, 2018 2:46 PM  
**To:** Best, Carolyn  
**Subject:** U.S. Supreme Court Cites The Buckeye Institute's Brief in Upholding Ohio's Election Integrity Law



# THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms  
(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

**FOR IMMEDIATE RELEASE**  
June 11, 2018

## **U.S. Supreme Court Cites The Buckeye Institute's Brief in Upholding Ohio's Election Integrity Law**

**Columbus, OH** -- Today, the Supreme Court of the United States upheld Ohio's authority to ensure that the votes of its citizens are not diluted by voter fraud in the court's **decision in *Husted v. A. Philip Randolph Institute***. The Buckeye Institute filed an **amicus brief** in the case on August 7, 2017, which was cited in the Supreme Court decision.

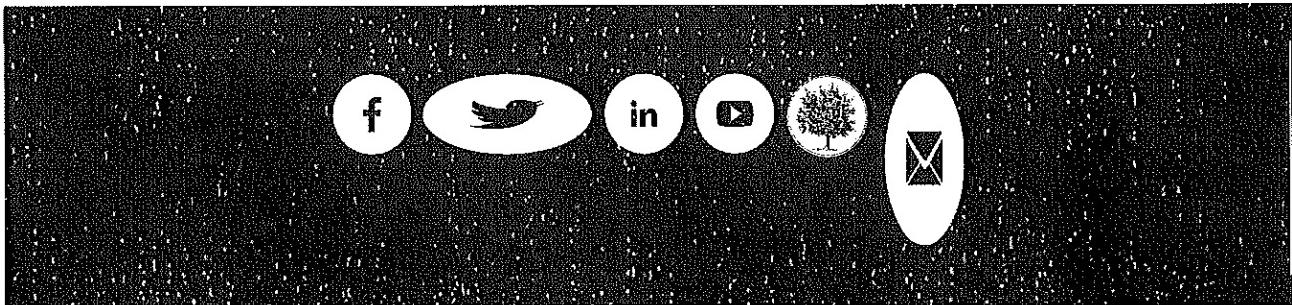
"We have a government of the people and by the people, and today the Supreme Court validated Ohio's process to assure that the peoples' voices are not drowned out by ineligible votes," said **Robert Alt**, president and chief executive officer at The Buckeye Institute. "Today, Ohioans and all Americans won. And in citing The Buckeye Institute's brief, the Supreme Court recognized the interest of states like Ohio to be vigilant and to employ screening procedures to ensure accurate voting rolls."

Ohio's case centered around the question of whether the state has the authority to maintain an accurate and up-to-date statewide database of registered voters. In its brief, Buckeye argued that the U.S. Constitution is clear in giving states authority over voter qualifications, and Ohio has a clear interest in making sure that only residents are able to vote in its elections. To do so, the state's voter rolls must be as accurate as possible. The Supreme Court noted that Ohio's process for voter removal follows federal law "to the letter."

# # #

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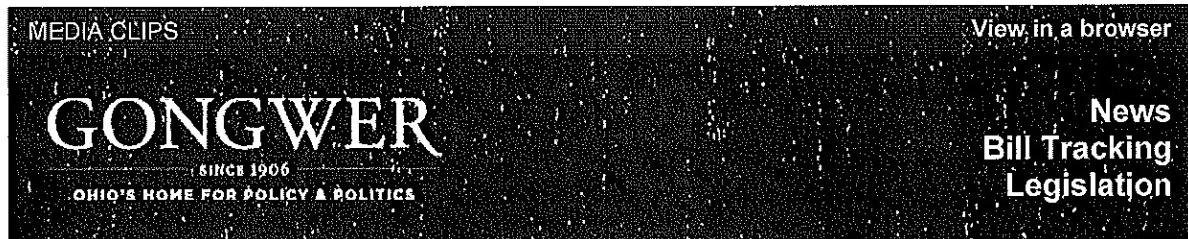
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Suite 1120, Columbus, OH 43215

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**From:** Gongwer News Service  
**Sent:** Thursday, June 14, 2018 8:20 AM  
**To:** Best, Carolyn  
**Subject:** Ohio Media Clips, Thursday, June 14



## NEWS

**Ex-Rep. Gabby Giffords speaks against gun violence in Ohio (Associated Press, 6/14/2018)**

**Ohio's top court hears arguments on promotions tax dispute (Associated Press, 6/14/2018)**

**Mike Pence will be met with dancing drag queens in Columbus (Cincinnati Enquirer, 6/14/2018)**

**Poll: Ohio voters want to send message to Trump (Cincinnati Enquirer, 6/14/2018)**

**This 2018 poll has lots to make Ohio GOP worry (Cincinnati Enquirer, 6/14/2018)**

**Businesses want loans to fix failing multi-employer pension system (Cleveland Plain Dealer, 6/14/2018)**

**Jim Renacci's Senate campaign is staffing up for November 2018 Ohio election (Cleveland Plain Dealer, 6/14/2018)**

**Ohio dark-money group broke campaign-finance rules, group claims  
(Cleveland Plain Dealer, 6/14/2018)**

**Richard Cordray, Mike DeWine tied in latest poll. Sherrod Brown up big ... again. (Cleveland Plain Dealer, 6/14/2018)**

**Brown confident jobs safe at defense agencies in Whitehall (Columbus Dispatch, 6/14/2018)**

**Businesses warn of dire threat if multiemployer pension crisis is not addressed (Columbus Dispatch, 6/14/2018)**

**DeWine fights union plea for clothing allowance payments (Columbus Dispatch, 6/14/2018)**

**DeWine, Portman will share spotlight during Pence visit (Columbus Dispatch, 6/14/2018)**

**List of Ohio doctors approved to recommend medical marijuana grows (Columbus Dispatch, 6/14/2018)**

**Partnership to free up more money for Ohio suicide prevention programs (Columbus Dispatch, 6/14/2018)**

**Quinnipiac poll: DeWine-Cordray race too close to call (Columbus Dispatch, 6/14/2018)**

**Republican auditor candidate says opponent doesn't understand job (Columbus Dispatch, 6/14/2018)**

**Gov. John Kasich more popular with Democrats in Ohio than Republicans, poll says (Dayton Daily News, 6/14/2018)**

**New polls show Sherrod Brown up big over Jim Renacci in US Senate race (Dayton Daily News, 6/14/2018)**

**Who is Rep. Jim Jordan's favorite liberal? The answer might surprise you. (Dayton Daily News, 6/14/2018)**

**Sen. Sherrod Brown: Farm Bill might aid Lake Erie (Toledo Blade, 6/14/2018)**

## **EDITORIALS**

**Beacon Journal/Ohio.com editorial board: Forward with public universities (Akron Beacon Journal, 6/14/2018)**

**Editorial: Expect to hear = 2voter purge' into November (Canton Repository, 6/14/2018)**

**Editorial: Voter registrations won't be canceled; Ohioans should use them (Columbus Dispatch, 6/14/2018)**

**Sutton: If DeWine opposes right-to-work he should say so (Youngstown Vindicator, 6/14/2018)**

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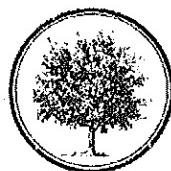
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**From:** The Buckeye Institute  
**Sent:** Thursday, June 14, 2018 2:15 PM  
**To:** Best, Carolyn  
**Subject:** The Buckeye Institute: Ohio Needs to Modernize its Medicaid Program



## THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms  
(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

**FOR IMMEDIATE RELEASE**  
June 14, 2018

### **The Buckeye Institute: Ohio Needs to Modernize its Medicaid Program**

**Columbus, OH -- The Buckeye Institute's** Rea S. Hederman Jr., executive director of the Economic Research Center and vice president of policy, **submitted public comments** to the Centers for Medicare and Medicaid Services on Ohio's work requirement waiver application. These comments follow ones Hederman **submitted to the Ohio Department of Medicaid** on March 16, 2018.

"Ohio's community engagement waiver application is a good start at reforming the state's Medicaid program. It meets the federal government's test of budget neutrality and follows the guidelines on how to utilize waivers to fix our health insurance market," said Rea S. Hederman Jr., executive director of the **Economic Research Center** at The Buckeye Institute and vice president of policy. "The federal government has approved bolder waivers than Ohio's, which shows that the state needs to continue to modernize its Medicaid program to protect recipients and ensure the program's future sustainability."

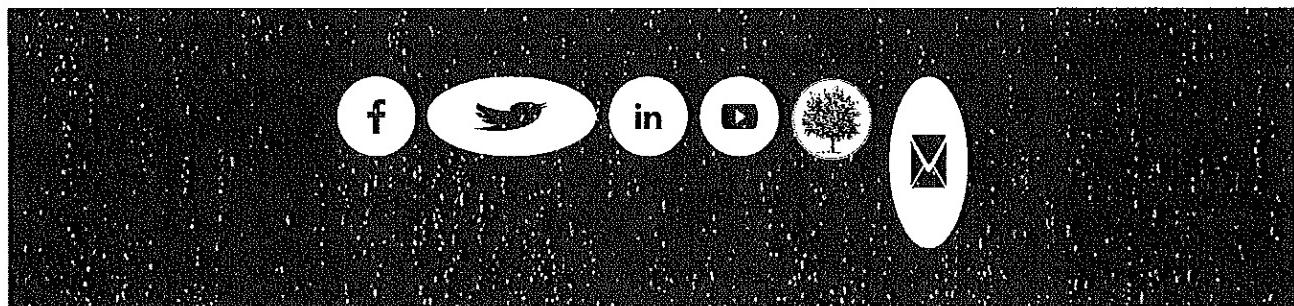
As he did in his comments on Ohio's waiver application, Hederman pointed out that Medicaid was drastically changed under the Affordable Care Act, saying, "Encouraging healthy, able-bodied adults to remain in the workforce or engage in other educational and training activities, Ohio's proposed Section 1115 waiver will enhance lifetime earnings, income, and health. By enhancing the health of the covered Medicaid enrollees, Ohio's proposed waiver meets the twin goals of the waiver demonstration project by promoting economic stability and improving health."

Hederman is a nationally recognized expert in health care policy. He was one of the first to propose using section 1332 waivers as a way to allow states to waive parts of the law and take back the ability to regulate their insurance markets. Hederman, and co-author Dennis G. Smith, outlined this approach in the report *Returning Health Care Power to the States*. More recently, in *Federal Efforts to Stabilize ACA Individual Markets through State Innovation*, a study for the Mercatus Center at George Mason University, Hederman and Doug Badger with the Galen Institute argue that Congress and the administration should empower states to devise new ways to make health insurance more affordable for more people.

# # #

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**From:** The Buckeye Institute  
**Sent:** Friday, June 15, 2018 10:37 AM  
**To:** Best, Carolyn  
**Subject:** The Buckeye Institute: Ohio Shows Strong Signs of Recovery



# THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms  
(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

**FOR IMMEDIATE RELEASE**  
June 15, 2018

## **The Buckeye Institute: Ohio Shows Strong Signs of Recovery**

**Columbus, OH** -- Andrew J. Kidd, Ph.D., an economist with The Buckeye Institute's Economic Research Center, commented on newly released employment data from the **Ohio Department of Job and Family Services** ([Click here to download](#) the audio file).

"For five straight months, Ohio's labor market has continued to show strong signs of recovery from the Great Recession. Since October 2016, Ohio's unemployment rate has fallen or remained steady and was 4.3 percent in May 2018. Despite the national unemployment rate falling to 3.8 percent, Ohio's labor force participation rate (62.8) was slightly higher than the national rate (62.7), showing a strengthening labor force, which continues to see job seekers finding good paying jobs. All of this shows positive signs for Ohioans.

"With 20,100 new non-farm, private-sector jobs added this month, Ohio's workforce has added more than 58,000 jobs this year alone. While construction jobs were a large component of this growth (12,900 jobs), manufacturing had the least growth, and could be harmed further by the Trump Administration's recently implemented tariffs. These protectionist policies have shown to hurt local economies and Ohio's national lawmakers need to ensure Ohioans in these industries are not harmed by such isolationist policies.

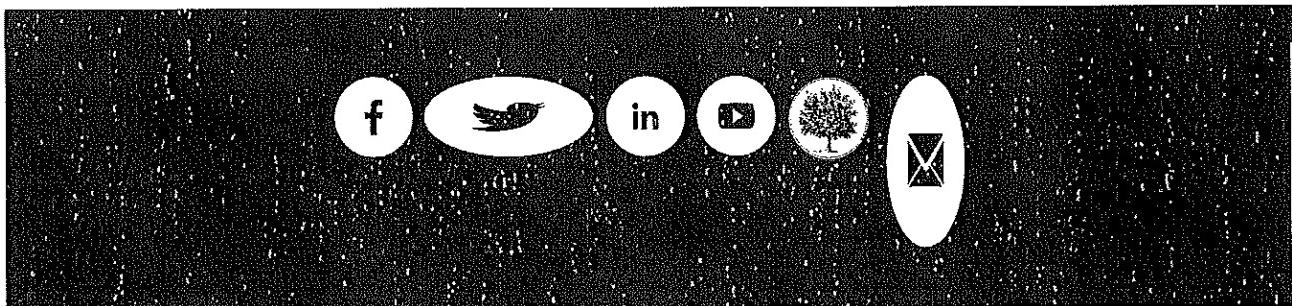
"Governor Kasich's tax cuts and policies, combined with the recently implement federal tax reform, have exhibited positive effects on Ohio's economy with a falling unemployment

rate and strong job growth. These pro-growth policies, designed for both Ohio's workers and producers, will continue this trend and bring economic prosperity to the Buckeye State."

# # #

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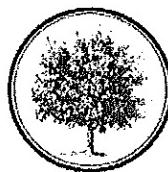
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**From:** The Buckeye Institute  
**Sent:** Friday, June 15, 2018 1:02 PM  
**To:** Best, Carolyn  
**Subject:** ICYMI: Rea Hederman Writes in The Hill about the Slow Pace of Change Coming out of Washington



## THE BUCKEYE INSTITUTE

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In *The Hill*, Buckeye's Rea S. Hederman Jr. looks at the slow pace of change coming out of Washington on health care reform, writing, "[The] administration is not ready to cooperate and work with the states to find innovative solutions to a problem that the states didn't create."

---

# THE HILL

The logo for The Hill, which features the word "THE" on the left and "HILL" on the right in large, bold, serif capital letters. Between the two words is a small, detailed illustration of the dome of the U.S. Capitol building.

## States must hold Trump to his word on working with them to solve ObamaCare

*The Hill*  
By Rea S. Hederman Jr.  
June 14, 2018

On the very day he was inaugurated, **President Trump issued his first executive order** directing all federal agencies to cooperate with and "provide greater flexibility to States" as they looked for ways to stop the premium pains of Obamacare. So far, 500 days later, that order has yet to be followed.

Sure, **Secretary of Health and Human Services Tom Price** and the **administrator of the Centers for Medicare and Medicaid Services Seema Verma** promptly called for innovative solutions and promised to work with states to numb the pain that Obamacare continues to inflict on health care markets. But actions always speak louder than words and, thus far at least, federal action has denied or delayed most of the state innovation waivers requested under Section 1332 of the Affordable Care Act.

Most recently, for example, HHS denied Ohio's waiver request to exempt Ohioans from Obamacare's individual mandate to buy health insurance. Ohio acknowledged that the penalty for violating the mandate will be \$0 in 2019, but it rightly worries that so long as the mandate remains the law the tax penalty could be reinstated. Ohio's application **followed the HHS blueprint** for innovation waivers, but HHS denied the state's request because it did not "describe the reason for the waiver request."

This most recent denial should concern every state for two reasons. First, because **Ohio did in fact give its reason for the waiver**, stating several times that it was needed because the individual mandate remained federal law even though new legislation had "zeroed out" the penalty. Perhaps the agency did not find Ohio's straightforward explanation "descriptive" enough. And second, because HHS took 45 days to deny Ohio's request on what amounts to a technicality after HHS failed to tell applicants that descriptive explanations must be submitted in precise ways in particular boxes on federal forms. Those 45 days for a pro-forma rejection letter are symptomatic of an agency that routinely takes the entire 225-day approval period to *deny* state applications.

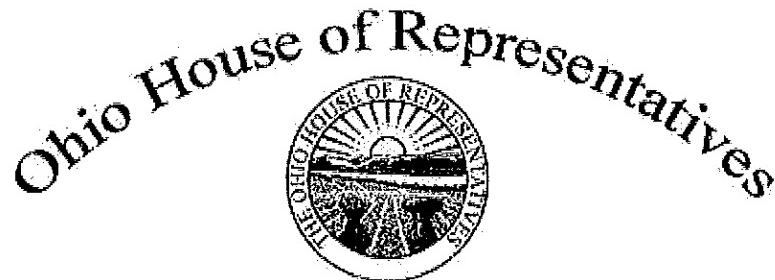
Both concerns signal that despite the President's directive, his administration is not ready to cooperate and work with the states to find innovative solutions to a problem that the states didn't create. And both signal more of the same technocratic, bureaucratic thinking that we have come to expect from Washington -- and that's a shame.

Fortunately, there is still time for the Trump Administration to learn from nascent mistakes and for the states to hold the President to his word on working with them to solve the riddle of Obamacare.

Right now, states are reluctant to pitch their innovative reform ideas to Washington given how Washington has treated them. But assuming that HHS and the Treasury Department actually want to empower the states and will entertain the bold ideas, the administration can still take several steps in the right direction starting with rescinding or substantially revising the Obama-era guidance on Section 1332 waivers.

**From:** Financial Institutions Housing & Urban Development Committee  
**Sent:** Monday, June 18, 2018 9:37 AM  
**To:** Financial Institutions Housing & Urban Development Committee  
**Subject:** FIHUD Committee Announcement - \*Revised\*

**\*AGENDA REVISIONS ARE IN RED\***



### ANNOUNCEMENT OF COMMITTEE MEETING

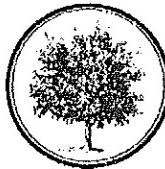
**COMMITTEE:** Financial Institutions, Housing, and Urban Development  
**CHAIR:** Jonathan Dever  
**DATE:** Tuesday June 19, 2018  
**TIME:** 11:00 am  
**ROOM:** 114

### Agenda

<u>Bill</u>	<u>Sponsor</u>	<u>Title</u>	<u>Status</u>
H. B. No. 390	Rep. Merrin	Clarify computation of timelines for forcible entry and detainer	5th Hearing Poss. Vote Poss. Am. Prop/Opp/IP
H. B. No. 386	Rep. Henne, Rep. Kelly	Modify credit reporting agency fees for a credit report freeze	5th Hearing Poss. Vote Prop/Opp/IP

Please send a copy of any amendments and/or testimony and supporting documents to the **Chair's office no later than 11 AM on Monday, June 18, 2018**. Send all submissions to Melina.Tornero@ohiohouse.gov.

**From:** The Buckeye Institute  
**Sent:** Tuesday, June 19, 2018 10:01 AM  
**To:** Best, Carolyn  
**Subject:** The Buckeye Institute: Ohio Needs to Undertake Comprehensive Tax Reform, Not Pass New Taxes



# THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms  
(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

**FOR IMMEDIATE RELEASE**  
June 19, 2018

## **The Buckeye Institute: Ohio Needs to Undertake Comprehensive Tax Reform, Not Pass New Taxes**

*Greg Lawson Submits Testimony to the Ohio House Ways and Means Committee*

**Columbus, OH -- The Buckeye Institute's** Greg R. Lawson submitted written testimony (see full text below or [download a PDF](#)) to the Ohio House Ways and Means Committee on House Bill 571.

In his testimony, Lawson outlined the benefits of online travel companies (OTC) in providing "an online service that customers and hotel operators may use as they see fit to meet their own shopping and business needs." However, as Lawson noted, "House Bill 571 threatens to interfere with this free-market process by extending the reach of local lodging taxes to include the OTCs' service fees," which, Lawson noted, **courts in 39 cases in 23 states** ruled could not be taxed as hotel occupancy taxes.

Rather, Lawson encouraged Ohio undertake comprehensive tax reform writing, "As tempting as House Bill 571 may be for some revenue collectors, Ohio must be careful not to allow or encourage local governments to impose harmful new -- and in this case, illegal -- taxes apart from a more balanced and comprehensive tax reform effort."

# # #

**Interested Party Testimony on House Bill 571**  
**Submitted to the Ohio House Ways and Means Committee**

**Greg R. Lawson, Research Fellow**  
**The Buckeye Institute**  
**June 19, 2018**

Chairman Schaffer, Vice Chair Scherer, Ranking Member Rogers, and members of the Committee, thank you for the opportunity to offer written comments today regarding House Bill 571.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

Online travel companies -- or OTCs -- such as **Hotel.com** and Expedia facilitate transactions for consumers looking to book hotel rooms online. These companies make it easier to find and secure lodging options by making those options available at a one-stop website location where consumers can search for the best deal and book a room, rather than scouring the internet for individual hotel rates and availability on individual hotel websites.

OTCs provide an online service that customers and hotel operators may use as they see fit to meet their own shopping and business needs. Nothing compels hotels to use OTCs, they choose to do so voluntarily because they believe that it will increase their exposure, reach more customers, and lead to more bookings. In short, they believe that it helps their business prosper and many smaller, non-chain hotels use OTCs precisely for this reason, because OTCs provide a critical service that boosts their room sales.

Unfortunately, House Bill 571 threatens to interfere with this free-market process by extending the reach of local lodging taxes to include the OTCs' service fees.

Typically, customers who book rooms through an OTC will pay the same amount for their room as customers who book directly through a hotel website. The actual room rates that hotels receive for bookings made through an OTC, however, are generally lower than what the hotel would receive on rooms booked directly. The OTC keeps the difference -- effectively charging the hotel a service fee for facilitating the booking.

Local governments assess sales and lodging taxes based upon the actual room rates that hotels receive, not the prices paid by customers. Consequently, local governments collect less total tax on rooms booked through an OTC than they would on the same rooms booked

directly through the hotel. House Bill 571 would expand the local sales and lodging taxes to include an OTC's service fee.

It is not hard to understand that House Bill 571 could be attractive to local governments eager to collect more taxes, but the bill has at least one fatal flaw.

As proposed, House Bill 571 would assess a lodging tax on a service fee. Such taxes have already been held illegal in multiple cases across multiple jurisdictions. As the Legislative Service Commission has explained, the United States Court of Appeals for the Sixth Circuit -- with federal jurisdiction over Ohio -- has twice ruled that localities cannot impose lodging taxes on OTCs.<sup>[1]</sup> Other courts have made similar rulings recently in Texas and Illinois,<sup>[2]</sup> and as of early 2016, courts in 39 cases in 23 states had concluded that OTC services could not be taxed as hotel occupancy taxes.<sup>[3]</sup>

Furthermore, House Bill 571 would also apply a sales tax to OTC service fees. The Buckeye Institute remains open to discussing sales taxes on services as part of a comprehensive tax reform that would include eliminating the state personal income tax,<sup>[4]</sup> as well as other appropriate offsets that will make Ohio's tax system fairer, simpler, and more transparent.<sup>[5]</sup> Merely taxing OTC service fees without other comprehensive tax reforms would be nothing more than a selective tax increase imposed on only one service industry, and it would threaten to hurt profits, sales, and jobs.

Ohio's taxes are already too high, with an average combined state and local tax rate standing at more than seven percent.<sup>[6]</sup> Some Ohioans pay even higher combined rates in some communities where tax rates approach 10 percent<sup>[7]</sup> -- a level one might expect in high-tax states like New York.<sup>[8]</sup> High tax rates have real world consequences for workers, businesses, and states. As the Tax Foundation has demonstrated, people and jobs do in fact migrate from high-tax states to low-tax states -- and that migration will inevitably cost Ohio workers, businesses, and future economic opportunities.<sup>[9]</sup> Simply adding new taxes on services will not lighten Ohio's already burdensome tax load.

As tempting as House Bill 571 may be for some revenue collectors, Ohio must be careful not to allow or encourage local governments to impose harmful new -- and in this case, illegal -- taxes apart from a more balanced and comprehensive tax reform effort.

Thank you for the opportunity to submit this testimony.

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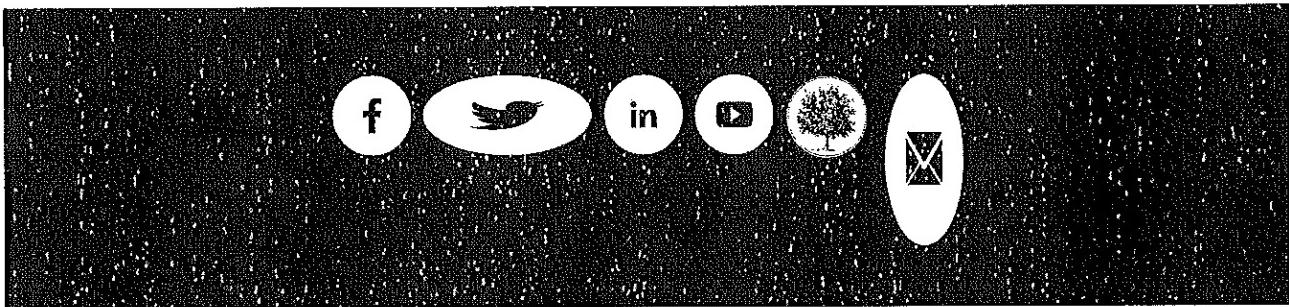
[1] Mackenzie Damon, **House Bill 571 Bill Analysis**, Legislative Service Commission, 2018.

- [2] Paul Stinson, **Online Travel Companies Prevail in \$84 Million Texas Tax Dispute**, Bloomberg Bureau of National Affairs, November 30, 2017.
- [3] Joseph Bishop-Henchman, **Litigation Ongoing Against Online Travel Companies for Hotel Occupancy Taxes**, The Tax Foundation, February 17, 2016.
- [4] Greg R. Lawson, research fellow, The Buckeye Institute, **Testimony Before the Ohio House Ways and Means Committee**, March 15, 2015.
- [5] Rea Hederman Jr., Tom Lampman, Greg R. Lawson, and Joe Nichols, **Tax Reform Principles for Ohio**, The Buckeye Institute, February 2, 2015.
- [6] Jared Walczak and Scott Drenkard, **State and Local Tax Rates 2018**, The Tax Foundation, February 13, 2018.
- [7] Morgan Scarboro, Scott Drenkard, and Rea S. Hederman Jr., **Ohio Illustrated: A Visual Guide to Taxes and the Economy**, The Tax Foundation and The Buckeye Institute, June 2017.
- [8] *Ibid.*
- [9] **State to State Migration Data**, The Tax Foundation (Last visited June 14, 2018).

# # #

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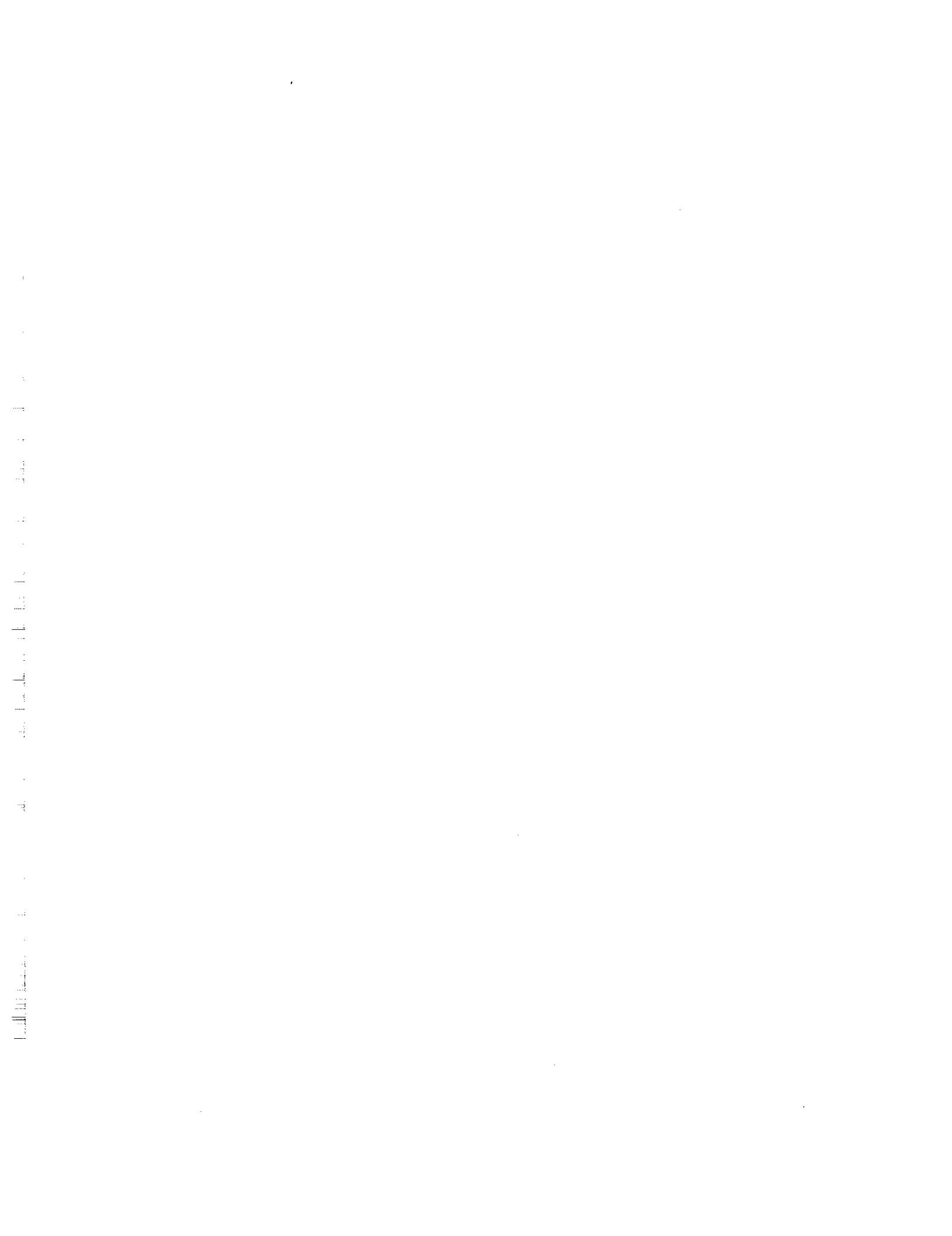


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**From:** Fleck, Craig  
**Sent:** Friday, June 22, 2018 3:42 PM  
**To:** GOP\_All  
**Subject:** New GOP Additions

# WELCOME

When you get a free minute, please make sure to introduce yourself and welcome the newest members of our team.



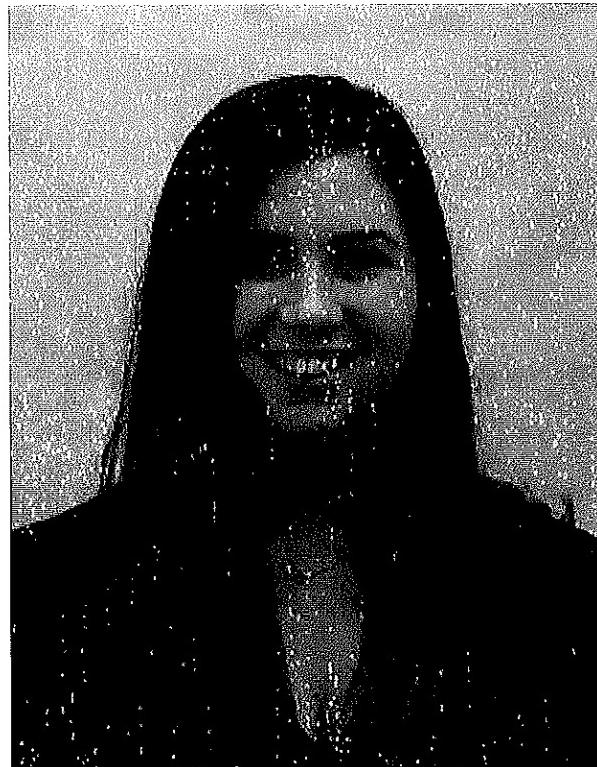
**Tyler  
Herrmann,  
Deputy Legal  
Counsel /  
Policy Advisor**

Tyler is from Harrison, Ohio and holds a Juris Doctorate from the University of Cincinnati and a Political Science degree from Wright State University. Tyler served in the United States Air Force as an Operations Intelligence Analyst NCO and currently serves as a JAG Attorney for the United States Army. He currently presides as the Chairman for the Ohio Chapter of the Republican National Lawyers Association, and as the Treasurer for the Cap City Young

	<p>Republicans. Tyler transferred to the House from the Attorney General's Office where he served as an Assistant Attorney General within the Executive Agencies Section.</p>
	<p><b>James Kennedy, LA Merrin</b></p> <p>James is from Palm City, Florida and an alum of Florida, Atlantic University where he graduated with a degree in Political Science. While in college he had the opportunity to serve as a Tax and Fiscal Policy Intern for the American Legislative Exchange Council (ALEC). James has an extensive research background serving as a Legal Research Analyst Intern for the Buckeye Institute and as a Political-Military Analyst Intern for the Hudson Institute. Prior to arriving to the House, he served as a Legislative Assistant for the Tennessee Legislation Service in Nashville. In James' free time, he enjoys collecting sports memorabilia and claims to have personally met nearly every</p>

major league baseball superstar.

## Lauren Reid, LA Butler



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## Craig Fleck

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Ohio House of Representatives  
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[Craig.fleck@ohiohouse.gov](mailto:Craig.fleck@ohiohouse.gov)

**From:** Fleck, Craig  
**Sent:** Friday, June 22, 2018 3:42 PM  
**To:** GOP\_All  
**Subject:** New GOP Additions

# WELCOME

When you get a free minute, please make sure to introduce yourself and welcome the newest members of our team.



**Tyler  
Herrmann,  
Deputy Legal  
Counsel /  
Policy Advisor**

Tyler is from Harrison, Ohio and holds a Juris Doctorate from the University of Cincinnati and a Political Science degree from Wright State University. Tyler served in the United States Air Force as an Operations Intelligence Analyst NCO and currently serves as a JAG Attorney for the United States Army. He currently presides as the Chairman for the Ohio Chapter of the Republican National Lawyers Association, and as the Treasurer for the Cap City Young

Republicans. Tyler transferred to the House from the Attorney General's Office where he served as an Assistant Attorney General within the Executive Agencies Section.

## James Kennedy, LA Merrin



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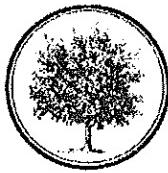
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**From:** The Buckeye Institute  
**Sent:** Wednesday, June 27, 2018 10:47 AM  
**To:** Best, Carolyn  
**Subject:** The Buckeye Institute: Reducing Ohio's Regulatory Burden Would Boost the Economy and Grow Jobs



# THE BUCKEYE INSTITUTE

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(614) 224-3255 or [Lisa@BuckeyeInstitute.org](mailto:Lisa@BuckeyeInstitute.org)

**FOR IMMEDIATE RELEASE**  
June 27, 2018

## The Buckeye Institute: Reducing Ohio's Regulatory Burden Would Boost the Economy and Grow Jobs

*Greg Lawson Testifies Before the Ohio Senate Transportation, Commerce, and Workforce Committee*

**Columbus, OH -- The Buckeye Institute's** Greg R. Lawson testified today (see full text below or [download a PDF](#)) before the Ohio Senate Transportation, Commerce, and Workforce Committee on Senate Bill 293.

In opening his testimony, Lawson recognized the importance of regulations that protect public health and safety, but pointed out that "Ohio desperately needs regulatory reform that eliminates unnecessary regulations that strangle private industry and enterprise as part of the state's broader reform efforts to boost economic growth."

Highlighting Ohio's onerous occupational licensing regime as a good place to begin reducing Ohio's regulatory burden, Lawson noted that the licensing requirements of professions such as auctioneers, travel guides, hairdressers, and flower arrangers, to name a few, do little-to-nothing to protect public health and safety, but add to Ohio's regulatory burden and Ohio's "economy and citizens suffer for it."

Lawson noted that Buckeye's research on **occupational licensing** and **forced government energy mandates** has shown the negative impact and economic trade-offs over regulation

has on job creation, stating, "Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses. Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates."

In closing, Lawson praised the Senate's efforts to "develop a meaningful process to methodically and thoughtfully reduce regulatory restrictions and burdens on all Ohioans."

# # #

**Interested Party Testimony on Senate Bill 293  
Before the Ohio Senate Transportation, Commerce, and Workforce Committee**

**Greg R. Lawson, Research Fellow  
The Buckeye Institute  
June 27, 2018**

Chairman LaRose, Vice Chair Kunze, Ranking Member Schiavoni, and members of the Committee, thank you for the opportunity to testify today regarding the need for regulatory reform in Ohio and Senate Bill 293.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

The Buckeye Institute applauds the Senate for taking up regulatory reform in an effort to cut bureaucratic red tape. Ohio desperately needs regulatory reform that eliminates unnecessary regulations that strangle private industry and enterprise as part of the state's broader reform efforts to boost economic growth. If Ohio does not focus its regulations and rules on protecting the public from genuine harm, the state will continue to see slow growth and low prosperity.

Some regulations, of course, are essential for preserving public health and safety. No one wants doctors using unsterilized medical equipment, or inadequately trained engineers designing bridges, or toxic chemicals polluting our soil and waterways. Requiring appropriate education and training for physicians, healthcare providers, pilots, and truck drivers helps safeguard the general public in our hospitals and on our roads and runways. But the same cannot be said with respect to auctioneers, travel guides, and hairdressers -- all currently subject to Ohio's byzantine and overly restrictive licensing requirements.

Occupational licensing restrictions present a growing problem at both the state and national level. In 2008, nearly 30 percent of the U.S. workforce was required to hold a license in order to go to work.<sup>[1]</sup> In 1970, that number was only 10 percent.<sup>[2]</sup> But even as the scope of occupational licensure has expanded, it is unclear that such licensure has added much value to or improved the quality of goods and services. Studies have shown, for example, that stricter licensure requirements have had little effect on the quality of care provided by dentists<sup>[3]</sup> or on the quality of service offered by flower arrangers.<sup>[4]</sup> That dentists are subject to licensing requirements is not troubling or surprising, but that flower arranging should require the state's permission slip is -- which makes the lack of any noticeably improved quality all the more concerning.

And although some occupational licensing does indeed provide the public with some residual benefit, that benefit is not without cost. Expansive licensing schemes costs the community jobs.

Professor Morris Kleiner testified before the U.S. Senate Judiciary Committee that his research concluded that licensing laws cost between a half and one percent of jobs nationally in 2010.<sup>[5]</sup> Those seemingly small percentages amount to tens of thousands of unborn jobs across America that never came into existence -- a claim bolstered by research out of the Brookings Institute's Hamilton Project revealing that stringent licensing requirements result in fewer providers of the services subject to the requirements.<sup>[6]</sup> Fewer providers means fewer employers and fewer available jobs.

Perhaps unsurprisingly, given Professor Kleiner's findings, the Obama Administration released a detailed report in 2015 calling for nationwide reforms to occupational licensing.<sup>[7]</sup> Echoing bipartisan support for such measures, the Trump Administration's Secretary of Labor has since recognized that:

"Americans want principled, broad-based reform. If licenses are unnecessary, eliminate them. If they are needed, streamline them. And, if they are honored by one state, consider honoring them in your own state. Americans looking to enter the workforce deserve no less than our most ardent efforts to remove regulatory barriers so that they can have a job."<sup>[8]</sup>

Ohio, unfortunately, continues to contribute to the nation's licensing crisis -- and its economy and citizens suffer for it.

The Buckeye Institute's report, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, showed not only that Ohio's licensing burdens are more stringent than the national average, but also that nearly every Ohio license that requires training can be earned in less

time in another state.[9] Our subsequent study, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, confirmed the disturbing and stubborn fact that Ohio's licensing requirements erect higher barriers to employment for those most in need of quality jobs: middle-aged and low-income workers, and those without a college degree.[10]

Our macroeconomic dynamic model, developed by economists at The Buckeye Institute's **Economic Research Center**, revealed that Ohio's licensing requirements have prevented more than 7,000 people between the ages of 25-45 from pursuing licensed occupations, and have discouraged people from migrating to Ohio to enter the job market. The model also showed that high licensing costs keep workers from good-paying professions, and suggests that without such costs more workers would find employment.[11]

Consider Jennifer McClellan. A new mother, a long-time professional, and a licensed massage therapist, Ms. McClellan tried moving back to Ohio to be closer to her family, but the Ohio State Medical Board denied her license application because she was 10 days shy of the state's training requirements.[12] The board unduly discounted years of training and work experience, and would not honor the license she had already earned in Minnesota.

Ms. McClellan is not alone. Ohio cosmetologists, for example, must complete 250 more hours of training than their peers in Pennsylvania and 500 more hours than hairdressers in New York.[13] Such onerous cosmetology training requirements become laughable when compared to the 150 hours of training required to be a state certified Emergency Medical Technician (EMT).[14] Requiring cosmetologists to have *10 times* the training of basic EMTs, makes the case for licensing reform as clear as can be.

Beyond occupational licensing reform, Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses. Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates. Ohio's Renewable Portfolio Standard (RPS), for example, has a very limited effect on public safety, but a tragically negative effect on job creation and employment.[15]

Advocates of Ohio's RPS requirements assured that the standard would create jobs while making the environment cleaner and healthier. Unfortunately, as The Buckeye Institute's research has shown, the RPS actually results in fewer jobs across the state.[16] Using a realistic scenario, our dynamic macroeconomic model estimated that Ohio's current RPS could mean as many as 63,000 *fewer* jobs in Ohio by 2022.[17] Using even more conservative assumptions, the study estimated that the RPS will cost more than 25,400 people employment by 2022.[18] Renewable energy will undoubtedly play a larger role in

the state and national energy mix, but Ohio's mandates make energy prices higher today and create significant red-tape hurdles for manufacturers who are forced to spend more money to meet their energy needs and less on hiring.

Other academic research supports our concerns about the dire impact that regulations have on job creation. The Regulatory Studies Center at George Washington University, for instance, has noted that most empirical analyses find that regulation has a negative effect on entrepreneurship,[19] which should concern lawmakers because research also shows that first-year entrepreneurial start-ups have historically been net job creators even as existing businesses are net job destroyers.[20] Thus, regulations that harm entrepreneurship, harm job growth.

The Ohio Senate's more recent steps to improve the state's regulatory environment, such as Senator Uecker's Senate Bill 221 allowing the Joint Committee on Agency Rule Review to conduct more immediate reviews of rules and their effects, and Senator McColley's Senate Bill 255 reforming Ohio's occupational licensing regime, are steps in the right direction.

Senate Bill 293 builds upon those efforts by requiring state agencies to review their existing rules and identify those rules that have regulatory restrictions that include the words "shall," "must," "require," "shall not," "may not," and "prohibit." When the Mercatus Center at George Mason University studied the use of these regulatory words and corresponding restrictions across multiple states, it concluded that Ohio compares poorly.[21] Despite some methodological limitations, the Mercatus Center study offers a rough quantification of the regulatory burden that the Ohio Administrative Code imposes on Ohioans.[22] Senate Bill 293 makes good use of the Mercatus study by requiring every state agency to take a closer look at its existing restrictions and then requiring them to prepare a base inventory of those restrictions in order to begin limiting and reducing their numbers.

Canada's British Columbia adopted a similar policy creating a regulation inventory and then capping the maximum allowable regulatory restrictions.[23] Since 2001, British Columbia has reduced its regulatory restrictions by nearly 50 percent -- and without endangering public safety.[24]

A comprehensive inventory of agency restrictions will give policymakers a clearer picture of where the state's bureaucratic red tape truly lies; and a cap on regulatory restrictions will compel agencies and the General Assembly to carefully consider and prioritize any new restriction proposed. Senate Bill 293 advances the Senate's yeoman's effort to develop a meaningful process to methodically and thoughtfully reduce regulatory restrictions and burdens on all Ohioans.

Thank you for your time and consideration. I welcome any questions that the Committee might have.

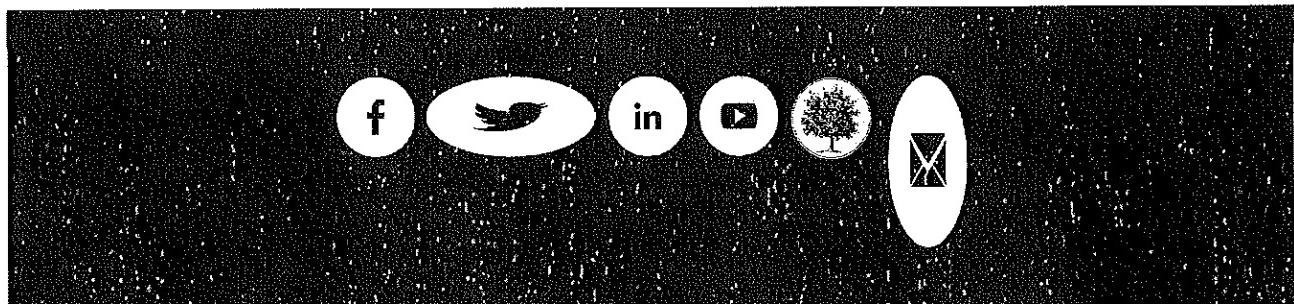
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  - [4] Dick M. Carpenter, **Blooming Nonsense: Licensure and Consumer Protection**, *Regulation*, Spring 2011, Volume 34 Issue 1, p. 44-47.
  - [5] Morris M. Kleiner, **License to Compete: Occupational Licensing and the State Action Doctrine**, Testimony before the U.S. Senate Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, February 2, 2016.
  - [6] Morris M. Kleiner, *Reforming Occupational Licensing Policies*, The Hamilton Project, March 2015.
  - [7] The White House, **Occupational Licensing: A Framework for Policymakers**, July 2015.
  - [8] Secretary of Labor Alexander Acosta, **Speech before the 44th Annual Meeting of the American Legislative Exchange Council**, U.S. Department of Labor, July 21, 2017.
  - [9] Tom Lampman, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, The Buckeye Institute, November 18, 2015.
  - [10] Orphe Pierre Divounguys, PhD, Bryce Hill, and Greg R. Lawson, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, The Buckeye Institute, December 18, 2017.
  - [11] *Ibid.*
  - [12] Greg R. Lawson, **Goodbye, Ohio. A Talented Massage Therapist Forced to Leave State Because of Crazy Licensing Rules**, The Buckeye Institute, February 29, 2016.
  - [13] Ohio Revised Code §4713.28.
  - [14] Ohio Administrative Code §4765-15-05.
  - [15] Orphe Divounguy, PhD., Rea S. Hederman, Jr., Joe Nichols, and Lucas Spitzwieser, *The Impact of Renewable Portfolio Standards on the Ohio Economy*, The Buckeye Institute, March 3, 2017.
  - [16] Greg R. Lawson, research fellow, The Buckeye Institute, Testimony Before the Ohio Senate Energy and Natural Resources Committee, June 6, 2018.
  - [17] *Ibid.*
  - [18] *Ibid.*
  - [19] Ana Maria Zarate Moreno, **Regulation, Innovation, and Entrepreneurship: A Review of the Literature**, Regulatory Studies Center, George Washington University, December 8, 2015.
  - [20] Tim Kane, *The Importance of Startups in Job Creation and Job Destruction*, Ewing Marion Kauffman Foundation, September 9, 2010.
  - [21] James Broughel and Jonathan Nelson, **A Snapshot of Ohio Regulation in 2018**, Mercatus Center, February 26, 2018.
  - [22] The Mercatus study counts all restrictive words but does not distinguish between those restrictions that apply to Ohio citizens or businesses from those that apply to state agency actions and thus might actually prove beneficial. The study also does not distinguish between rules that are imposed strictly by the state from those that incorporate federally imposed mandates.
  - [23] **Regulatory and Service Improvement BC: How We Count**, Province of British Columbia (Last visited June 25, 2018).

[24] Ministry of Small Business and Red Tape Reduction and Responsible for the Liquor Distribution Branch, *Achieving a Modern Regulatory Environment: B.C.'s Regulatory Reform Initiative*, Province of British Columbia, 2017.

# # #

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*The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.*



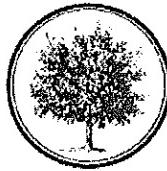
The Buckeye Institute, 88 East Broad Street,  
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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** The Buckeye Institute  
**Sent:** Wednesday, June 27, 2018 10:47 AM  
**To:** Best, Carolyn  
**Subject:** The Buckeye Institute: Reducing Ohio's Regulatory Burden Would Boost the Economy and Grow Jobs



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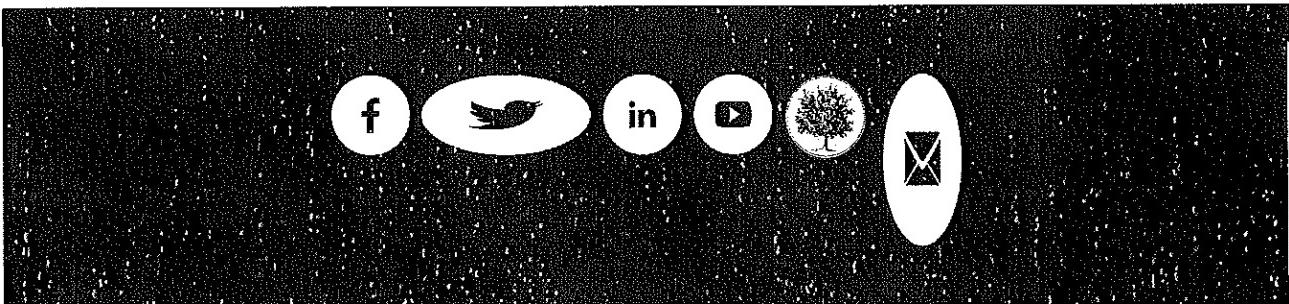
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  - [3] Morris M. Kleiner and Robert T. Kudrle, **Does Regulation Affect Economic Outcomes?: The Case of Dentistry**, working paper, National Bureau of Economic Research, January 1997.
  - [4] Dick M. Carpenter, **Blooming Nonsense: Licensure and Consumer Protection**, *Regulation*, Spring 2011, Volume 34 Issue 1, p. 44-47.
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# # #

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**From:** The Buckeye Institute  
**Sent:** Wednesday, June 27, 2018 10:47 AM  
**To:** Best, Carolyn  
**Subject:** The Buckeye Institute: Reducing Ohio's Regulatory Burden Would Boost the Economy and Grow Jobs



# THE BUCKEYE INSTITUTE

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**FOR IMMEDIATE RELEASE**  
June 27, 2018

## **The Buckeye Institute: Reducing Ohio's Regulatory Burden Would Boost the Economy and Grow Jobs**

*Greg Lawson Testifies Before the Ohio Senate Transportation, Commerce, and Workforce Committee*

**Columbus, OH -- The Buckeye Institute's** Greg R. Lawson testified today (see full text below or [download a PDF](#)) before the Ohio Senate Transportation, Commerce, and Workforce Committee on Senate Bill 293.

In opening his testimony, Lawson recognized the importance of regulations that protect public health and safety, but pointed out that "Ohio desperately needs regulatory reform that eliminates unnecessary regulations that strangle private industry and enterprise as part of the state's broader reform efforts to boost economic growth."

Highlighting Ohio's onerous occupational licensing regime as a good place to begin reducing Ohio's regulatory burden, Lawson noted that the licensing requirements of professions such as auctioneers, travel guides, hairdressers, and flower arrangers, to name a few, do little-to-nothing to protect public health and safety, but add to Ohio's regulatory burden and Ohio's "economy and citizens suffer for it."

Lawson noted that Buckeye's research on **occupational licensing** and **forced government energy mandates** has shown the negative impact and economic trade-offs over regulation

has on job creation, stating, "Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses. Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates."

In closing, Lawson praised the Senate's efforts to "develop a meaningful process to methodically and thoughtfully reduce regulatory restrictions and burdens on all Ohioans."

# # #

**Interested Party Testimony on Senate Bill 293  
Before the Ohio Senate Transportation, Commerce, and Workforce Committee**

**Greg R. Lawson, Research Fellow  
The Buckeye Institute  
June 27, 2018**

Chairman LaRose, Vice Chair Kunze, Ranking Member Schiavoni, and members of the Committee, thank you for the opportunity to testify today regarding the need for regulatory reform in Ohio and Senate Bill 293.

My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute**, an independent research and educational institution -- a think tank -- whose mission is to advance free-market public policy in the states.

The Buckeye Institute applauds the Senate for taking up regulatory reform in an effort to cut bureaucratic red tape. Ohio desperately needs regulatory reform that eliminates unnecessary regulations that strangle private industry and enterprise as part of the state's broader reform efforts to boost economic growth. If Ohio does not focus its regulations and rules on protecting the public from genuine harm, the state will continue to see slow growth and low prosperity.

Some regulations, of course, are essential for preserving public health and safety. No one wants doctors using unsterilized medical equipment, or inadequately trained engineers designing bridges, or toxic chemicals polluting our soil and waterways. Requiring appropriate education and training for physicians, healthcare providers, pilots, and truck drivers helps safeguard the general public in our hospitals and on our roads and runways. But the same cannot be said with respect to auctioneers, travel guides, and hairdressers -- all currently subject to Ohio's byzantine and overly restrictive licensing requirements.

Occupational licensing restrictions present a growing problem at both the state and national level. In 2008, nearly 30 percent of the U.S. workforce was required to hold a license in order to go to work.<sup>[1]</sup> In 1970, that number was only 10 percent.<sup>[2]</sup> But even as the scope of occupational licensure has expanded, it is unclear that such licensure has added much value to or improved the quality of goods and services. Studies have shown, for example, that stricter licensure requirements have had little effect on the quality of care provided by dentists<sup>[3]</sup> or on the quality of service offered by flower arrangers.<sup>[4]</sup> That dentists are subject to licensing requirements is not troubling or surprising, but that flower arranging should require the state's permission slip is -- which makes the lack of any noticeably improved quality all the more concerning.

And although some occupational licensing does indeed provide the public with some residual benefit, that benefit is not without cost. Expansive licensing schemes costs the community jobs.

Professor Morris Kleiner testified before the U.S. Senate Judiciary Committee that his research concluded that licensing laws cost between a half and one percent of jobs nationally in 2010.<sup>[5]</sup> Those seemingly small percentages amount to tens of thousands of unborn jobs across America that never came into existence -- a claim bolstered by research out of the Brookings Institute's Hamilton Project revealing that stringent licensing requirements result in fewer providers of the services subject to the requirements.<sup>[6]</sup> Fewer providers means fewer employers and fewer available jobs.

Perhaps unsurprisingly, given Professor Kleiner's findings, the Obama Administration released a detailed report in 2015 calling for nationwide reforms to occupational licensing.<sup>[7]</sup> Echoing bipartisan support for such measures, the Trump Administration's Secretary of Labor has since recognized that:

"Americans want principled, broad-based reform. If licenses are unnecessary, eliminate them. If they are needed, streamline them. And, if they are honored by one state, consider honoring them in your own state. Americans looking to enter the workforce deserve no less than our most ardent efforts to remove regulatory barriers so that they can have a job."<sup>[8]</sup>

Ohio, unfortunately, continues to contribute to the nation's licensing crisis -- and its economy and citizens suffer for it.

The Buckeye Institute's report, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*, showed not only that Ohio's licensing burdens are more stringent than the national average, but also that nearly every Ohio license that requires training can be earned in less

time in another state.[9] Our subsequent study, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, confirmed the disturbing and stubborn fact that Ohio's licensing requirements erect higher barriers to employment for those most in need of quality jobs: middle-aged and low-income workers, and those without a college degree.[10]

Our macroeconomic dynamic model, developed by economists at The Buckeye Institute's **Economic Research Center**, revealed that Ohio's licensing requirements have prevented more than 7,000 people between the ages of 25-45 from pursuing licensed occupations, and have discouraged people from migrating to Ohio to enter the job market. The model also showed that high licensing costs keep workers from good-paying professions, and suggests that without such costs more workers would find employment.[11]

Consider Jennifer McClellan. A new mother, a long-time professional, and a licensed massage therapist, Ms. McClellan tried moving back to Ohio to be closer to her family, but the Ohio State Medical Board denied her license application because she was 10 days shy of the state's training requirements.[12] The board unduly discounted years of training and work experience, and would not honor the license she had already earned in Minnesota.

Ms. McClellan is not alone. Ohio cosmetologists, for example, must complete 250 more hours of training than their peers in Pennsylvania and 500 more hours than hairdressers in New York.[13] Such onerous cosmetology training requirements become laughable when compared to the 150 hours of training required to be a state certified Emergency Medical Technician (EMT).[14] Requiring cosmetologists to have *10 times* the training of basic EMTs, makes the case for licensing reform as clear as can be.

Beyond occupational licensing reform, Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses. Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates. Ohio's Renewable Portfolio Standard (RPS), for example, has a very limited effect on public safety, but a tragically negative effect on job creation and employment.[15]

Advocates of Ohio's RPS requirements assured that the standard would create jobs while making the environment cleaner and healthier. Unfortunately, as The Buckeye Institute's research has shown, the RPS actually results in fewer jobs across the state.[16] Using a realistic scenario, our dynamic macroeconomic model estimated that Ohio's current RPS could mean as many as 63,000 *fewer* jobs in Ohio by 2022.[17] Using even more conservative assumptions, the study estimated that the RPS will cost more than 25,400 people employment by 2022.[18] Renewable energy will undoubtedly play a larger role in